



## REVISED AGENDA - COMMITTEE OF THE WHOLE

Thursday, November 22, 2018, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

Located on the traditional territory of the Esquimalt and Songhees People

Pages

- A. APPROVAL OF AGENDA
- B. CONSENT AGENDA
- C. READING OF MINUTES
- D. UNFINISHED BUSINESS

D.1 205 Simcoe Street - Rezoning Application No. 00653 (James Bay)

1

Referred from the November 15, 2018 Committee of the Whole meeting where Council requested a report back on options to increase affordability of the proposed child care spaces in return for the City to relax the covenant .

*A report providing new information and recommendations regarding an application to allow for a 16-child preschool childcare program on the main storey of an existing athletic club building recommending it be forwarded to a public hearing.*

Addenda: Revised Report

E. LAND USE MATTERS

\*E.1 1402 Douglas Street - Rezoning Application No. 00658 (Downtown)

13

*A report presenting Council with information on a Rezoning Application for 1402 Douglas Street which is proposing an increase in floor area of the existing storefront cannabis retailer and recommending the application be declined.*

Addenda: Correspondence and Presentation

\*E.2 1712 - 1720 Fairfield Road - Rezoning Application No. 00618 and Development Permit Application (Gonzales)

DEFERRED

*A report presenting Council with information proposing the creation of three buildings containing approximately 17 attached dwelling units and recommending that the application be forwarded to a public hearing.*

Addenda: Correspondence & Presentation

<b>*E.3</b>	<b><u>926 and 932 Pandora Avenue - Rezoning Application No. 00605 and Development Permit Application No. 000508 (North Park)</u></b>	<b>32</b>
	<i>A report presenting Council with information regarding a rezoning application and development permit application to allow for a 11 storey mixed use building and recommending it be forwarded to a public hearing.</i>	
	<u>Addenda:</u> CALUC Minutes, Correspondence and Presentation	
<b>*E.4</b>	<b><u>Proposed Amendments to the Zoning Regulation Bylaw</u></b>	<b>123</b>
	<i>A report presenting Council with information regarding a number of corrections and clarifying amendments to the Zoning Regulation Bylaw.</i>	
	<u>Addenda:</u> Presentation	
<b>F.</b>	<b>STAFF REPORTS</b>	
<b>F.1</b>	<b><u>2019 Meeting Schedule Report</u></b>	<b>132</b>
	<b><u>Referred from the November 8, 2018 Committee of the Whole meeting.</u></b>	
	<i>A report regarding the 2019 schedule of Committee of the Whole and Council meetings for Council's consideration.</i>	
<b>*F.2</b>	<b><u>Board, Committee and Neighbourhood Association Appointments</u></b>	<b>135</b>
	<i>A report providing information to Council regarding the list of nominations for Council members appointments to boards, committees and neighbourhood associations.</i>	
	<u>Addenda:</u> Revised Report	
<b>*F.3</b>	<b><u>Appointments to Capital Region Housing Corporation</u></b>	<b>148</b>
	<i>A report regarding the appointment of all CRD Board Directors to the Board of the Capital Region Housing Corporation.</i>	
	<u>Addenda:</u> Report	
<b>G.</b>	<b>NOTICE OF MOTIONS</b>	
<b>H.</b>	<b>NEW BUSINESS</b>	
<b>*H.1</b>	<b><u>Adopt and Consistently Apply the CMHC's Definition of Affordable Housing</u></b>	<b>150</b>
	<i>A Council Members motion on the Canadian Mortgage and Housing Corporation definition of affordable housing and how it is applied to the City of Victoria.</i>	
	<u>Addenda:</u> Revised Report & Attachments	



H.2	<b><u>Frontage Improvements at 149 Montreal Street, James Bay Child Care Society</u></b>	175
	<i>A Council member motion seeking the City of Victoria to undertake construction of the frontage improvements required for the rezoning application approved at 149 Montreal Street.</i>	
H.3	<b><u>Bonus Density Above OCP and Affordable Housing</u></b>	297
	<b><u>Referred from the November 15, 2018 Committee of the Whole meeting.</u></b>	
	<i>A Council member motion providing recommendations regarding consideration of densities above the Official Community Plan in order to provide incentives and to secure more and/or deeper affordability.</i>	
H.4	<b><u>Endorsement of the Community Benefits Coalition of BC</u></b>	311
	<b><u>Referred from the November 15, 2018 Committee of the Whole meeting.</u></b>	
	<i>A Council member motion providing recommendations regarding the endorsement of the Community Benefits Coalition of BC.</i>	
H.5	<b><u>1240 Yates Street for Extreme Weather Shelter Mats</u></b>	317
	<b><u>Referred from the November 15, 2018 Closed Council meeting</u></b>	
	<i>A Council member motion providing information on The Extreme Weather Protocol and recommending 1240 Yates be approved as a Tier 2 location for this Protocol.</i>	
*H.6	<b><u>Improving Governance and Transparency</u></b>	318
	<i>A Council member motion providing information to implement improvements to regional governance and transparency.</i>	
	<i><u>Addenda:</u> Attachment</i>	
*H.7	<b><u>Natural Assets and the Public Sector Accounting Board</u></b>	322
	<i>A Council members motion proposing to endorse policy recommendations for the inclusion of natural assets by the Public Sector Accounting Board.</i>	
	<i><u>Addenda:</u> Report</i>	
H.8	<b><u>Proclamation - Adoption Awareness Month</u></b>	331
	<i>A report regarding the proclamation for an "Adoption Awareness Month".</i>	
*H.9	<b><u>Meeting with Mayor Plante - Montreal, November 30, 2018</u></b>	335
	<i>A Council members motion requesting authorization for attendance and costs associated to attend a meeting with Mayor Plante.</i>	

Addenda: Report

I. ADJOURNMENT OF COMMITTEE OF THE WHOLE



## **Committee of the Whole Report**

### **For the Meeting of November 22, 2018**

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**To:** Committee of the Whole

**Date:** November 21, 2018

**From:** Alison Myer, Acting Director, Sustainable Planning and Community Development

**Subject:** Rezoning Application No. 00653 for 205 Simcoe Street

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### **RECOMMENDATION**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00653 for 205 Simcoe Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set subject to an amendment of the existing restrictive covenant to add daycare as one of the permitted uses on the property, executed by the applicant to the satisfaction of City staff.

### **EXECUTIVE SUMMARY**

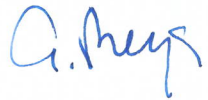
The purpose of this report is to present Council with new information and recommendations regarding the Rezoning Application for 205 Simcoe Street. The proposal is to rezone the property from the current C1-C Zone, Club District, to a new, site-specific zone to allow for a preschool daycare. At the November 15, 2018 Committee of the Whole meeting, Council approved a motion directing staff to explore options for greater affordability of the proposed child-care in return for the City relaxing the covenant currently registered on title. Staff have since met with the daycare operator and the property owner to explore this possibility. Specifically, staff explored the feasibility of subsidizing the daycare spaces by reducing the lease rate and passing on these savings as a means to reduce the fees for the child-care spaces. Both the applicant and the owner have stated that this is not financially feasible. Both parties have provided letters of response, which are attached to this report.

The property owner the James Bay Athletic Association, which is a non-profit society, has indicated that a reduction in the lease revenues would affect funding for their other programming. As the daycare operator, the applicant has also indicated that the daycare business could not afford to provide this subsidy directly. Further, the option of requiring that the daycare business directly subsidize the daycare by reducing their fees could have negative impacts on the stability of the daycare and the employees. Both the applicant and the property owner have stated that if any such condition were to be a requirement of the Rezoning approval, they will not proceed with the application.

Respectfully submitted,



Chloe Tunis  
Planning Analyst  
Development Services Division



Alison Myer, Acting Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date:

Nov 21, 2018

**List of Attachments:**

- Attachment A: Letter from property owner
- Attachment B: Letter from applicant

Mayor and Council  
City of Victoria  
Victoria, BC

November 19<sup>th</sup>, 2019

RE: Change to Covenant at 205 Simcoe to include 16 Seat Daycare

Council,

At the November 15<sup>th</sup> Committee of the Whole meeting it was noted by JBAA there was some concern about the profits to be made by JBAA from a rental to a daycare and how those profits would be spent. That perhaps a kickback to daycare clients of JBAA profits from rent would be fair and that since the existing covenant needed to be changed to allow for the daycare the City may want to “leverage” this situation to complete the kickback.

It might be helpful for Council to know the actual costs to run the building and the projected benefit.

Projected Day Care Rental Income	36,000.00
Actual Building Operating Expenses 2018	
Property Taxes	11,347.00
Utilities	6,223.49
Repairs/Maintenance	3,445.66
Insurance	4,240.40
Total expenses based on 2018	25,256.55
Projected Benefit	10,743.45

This benefit will help replace other income streams that have been on a steady decline. An example would be Bar Revenue which decreased from 2017 sales of \$76,000 to 2018 sales of \$50,000. Leading to a benefit reduction of \$16,000. It has been JBAA's desire to find more passive forms of income to replace the change in pattern of declining alcohol consumption. It will also mean JBAA can avoid the current patchwork of one off rentals, dances etc.

JBAA felt having a steady primary client that operated during daytime hours outside of weekends would best benefit the organization. Plus, a daycare seemed a good fit to the neighbourhood and the building itself.

Below is JBAA's stated purpose as outlined in our Constitution:

2.01 The objects of the Society are the promotion and furtherance of amateur sport in all forms through encouraging playing, promotion, coaching, and refereeing the same.

2.02 To maintain and preserve the historical assets of the James Bay Athletic Association

You might be interested to know that currently 75% of the 200 registered playing members at the club are boys and girls between the ages of 8 and 18. JBAA currently only has Rugby teams playing but, in the past, has sponsored amateur athletes in all sports and continues to look for ways to benefit amateur athletics in Victoria. In 2017/18 JBAA earned \$18,000 in direct registration fees from players but incurred \$65,000 in direct player expenses. The difference is made up by the organization through fundraising. The income from the daycare rental will be part of that fundraising and assist with these expenses to benefit sport and recreation in the City of Victoria.

The income earned from the daycare rental will assist in our operations. Making it a requirement for JBAA to return part of the income to the clients of the daycare would defeat the purpose of the rental. JBAA would not proceed with the daycare rental if the City mandates this in exchange for a change in the covenant.

Please contact me if I can be of more assistance.

John de Goede  
President  
James Bay Athletic Association

November 20, 2018

To Mayor and Council

Regarding the motion put forward on November 15 2018 at the Committee of the Whole meeting, I, Marley Cummings, the applicant, and the James Bay Athletic Association, the owner, have found it not financially feasible.

The JBAA is charging me, the applicant, \$2950.00 per month for rent and utilities. Based on information from a local Pacific Coast realtor, John Papaloukas, the going rate for a commercial facility in the James Bay area would be \$22-28 per square foot. This works out to a monthly rental fee of \$4583.34-\$5,833.34. It would be not be possible for me to find a similar sized space in this area for less than \$4000. I am lucky to have found this facility at this price.

The JBAA has made the decision to have a long-term rental at a higher financial cost to them in order to be more connected to the community. Previous to our daycare rental existing in the space, profits were made from bar sales and event rentals. This caused some friction in the community in the form of noise complaints. The JBAA has chosen to invite a service into their facility that is desperately needed, as well as creating a quieter and more family-friendly environment for the neighbouring residential and school properties.

The JBAA has made it clear that they will not be in favour of pursuing this application if a subsidy via lease reduction or a hit to the daycare revenue would be required.

If the city should insist upon this, we will lose this space for a childcare facility and we will not be in a financial position to seek out another. My business partner, Kayla McBride, and myself have already invested over \$28,000 of our personal money to open our centre, and we would be devastated if the city's attempt at influencing our rental agreement meant we lost the opportunity. Please take this into consideration in making your decision.

Thank you

Marley Cummings

# Rezoning Application for 205 Simcoe





## View from Simcoe Street



## Neighbourhood Context- Montreal Street



## Simcoe and Montreal Streets



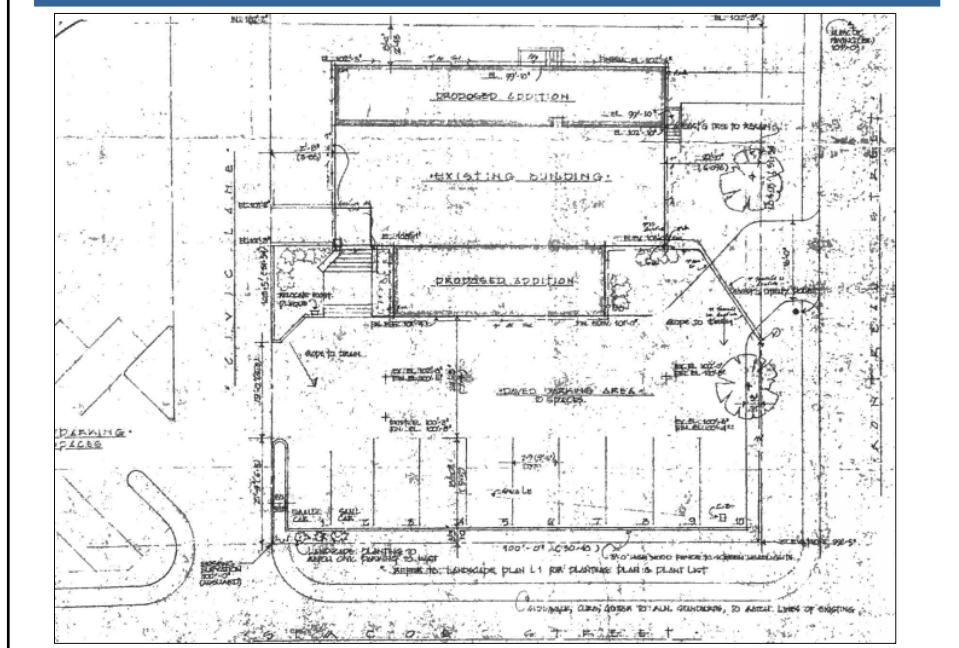
## Simcoe Street



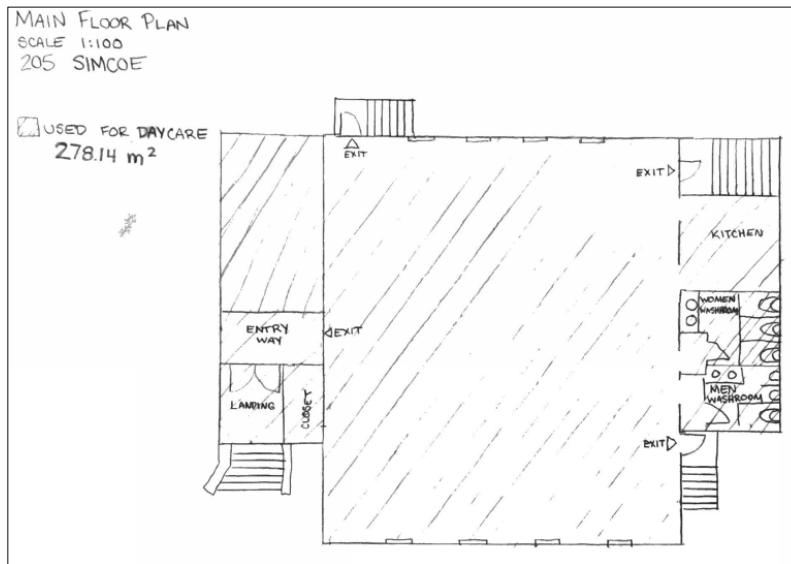


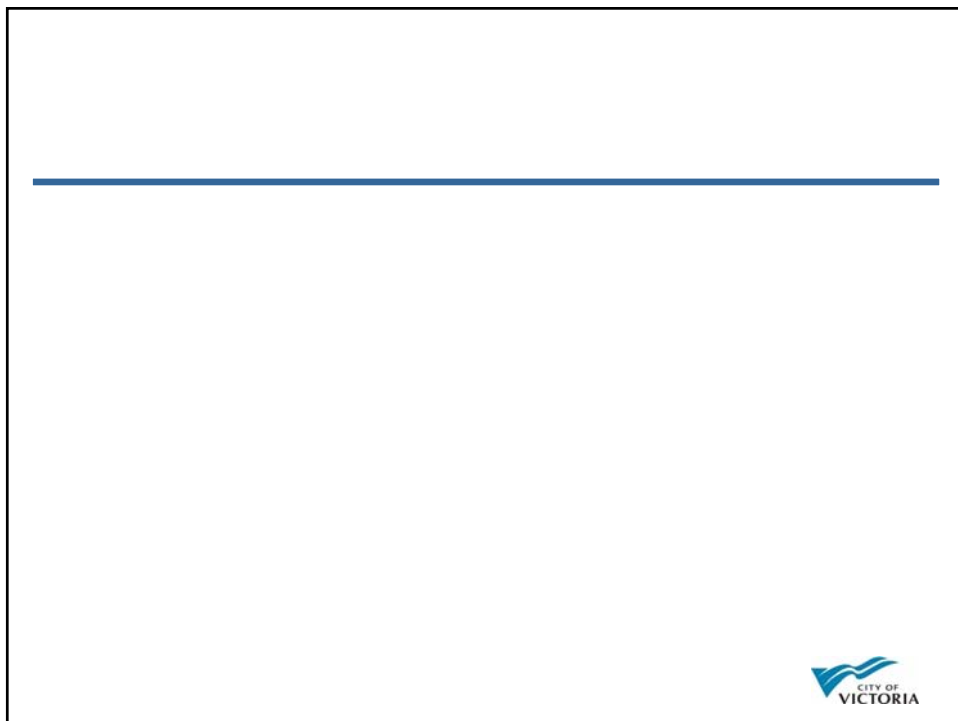


## Existing Site Plan

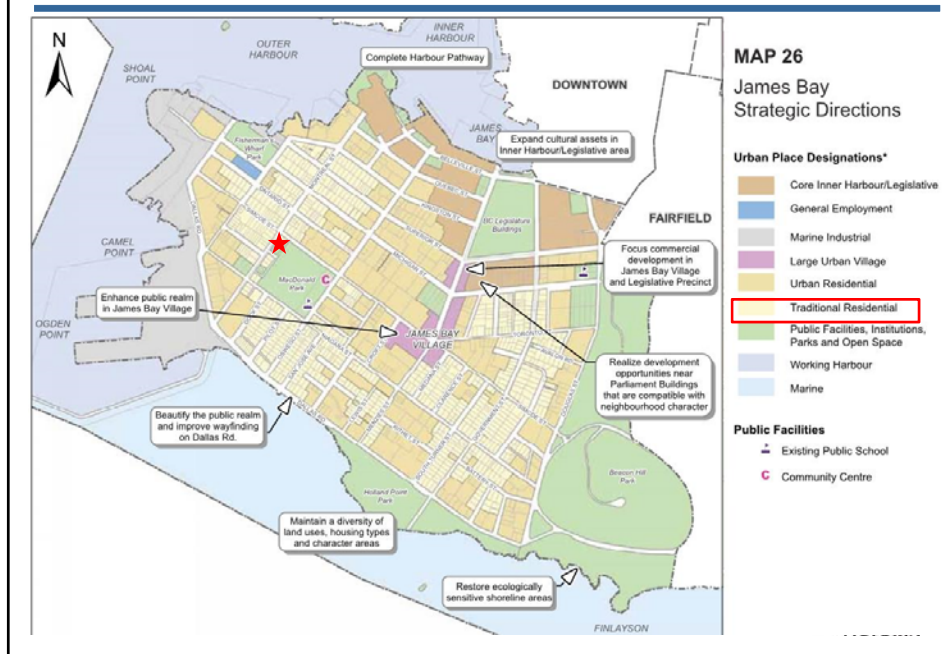


## Main Floor Plan





# Official Community Plan







## Committee of the Whole Report

For the Meeting of November 8, 2018

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**To:** Committee of the Whole **Date:** October 25, 2018

**From:** Andrea Hudson, Acting Director, Sustainable Planning and Community Development

**Subject:** Rezoning Application No. 00658 for 1402 Douglas Street

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### RECOMMENDATION

That Council decline Rezoning Application No. 00658 for the property located at 1402 Douglas Street.

### LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1402 Douglas Street. The proposal is to rezone the property by amending the existing site specific regulations of the OTD-1 Zone, Old Town District-1 in order to increase the maximum allowable floor area of the existing storefront cannabis retailer from 200m<sup>2</sup> to 450m<sup>2</sup>.

The following points were considered in assessing this Application:

- the proposal is consistent with the Core Historic designation in the *Official Community Plan, 2012*
- the proposal is consistent with the Historic Commercial designation in the *Downtown Core Area Plan*
- the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy* as there are permitted storefront cannabis retailers within 400m.

An alternate motion has also been provided for Council's consideration, given that the proposal is for an expansion of an existing cannabis retailer rather than introducing a new use in this location.

## BACKGROUND

### Description of Proposal

This Rezoning Application is to rezone the property by amending the site specific regulations of the OTD-1 Zone, Old Town District-1 to increase the maximum floor area from 200m<sup>2</sup> to 400m<sup>2</sup>.

### Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

### Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this Application.

### Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

### Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

### Land Use Context

The area is characterized by mainly commercial and office uses. Some residential and transient accommodation uses are located in the nearby area. In addition, a number of heritage buildings are located in close proximity.

### Existing Site Development and Development Potential

The site is presently a two-storey, heritage-designated building known as the Porter Block. It was constructed in 1900 using mainly brick and stone materials. Under the current OTD-1 Zone, Old Town District-1, the property could be used for commercial, residential, office and transient uses. The site specific regulations for this property permit one storefront cannabis retailer on the lot with a maximum floor area of 200m<sup>2</sup>.

### Data Table

The following data table compares the proposal with the site specific regulations of the OTD-1 Zone.

Zoning Criteria	Proposal	Existing Zone OTD-1
Total floor area of a storefront cannabis retailer (m <sup>2</sup> ) – maximum	450	200

### Relevant History



On February 6, 2018, Council approved a rezoning application to permit the use of storefront cannabis retailer with a maximum total floor area of 200m<sup>2</sup>.

### Community Consultation

Consistent with the *Storefront Cannabis Retailer Rezoning Policy*, the requirement to arrange and participate in a Community Association Land Use Committee (CALUC) meeting is waived unless the application involves construction of a new building; however, the Application was referred to the Downtown CALUC. Also consistent with the Policy, the Application has been referred to School District No. 61 and the Victoria Police Department (VicPD). The following table displays the number of VicPD service calls:

Calls for Service	2016	2017	2018 (up to September 7)
Calls to the immediate area	0	0	0
Calls to the block	337	281	174

### ANALYSIS

#### Official Community Plan

The *Official Community Plan* (OCP, 2012) identifies this property within the Core Historic urban place designation, within which commercial activities including retail are an envisioned use.

#### Local Area Plans

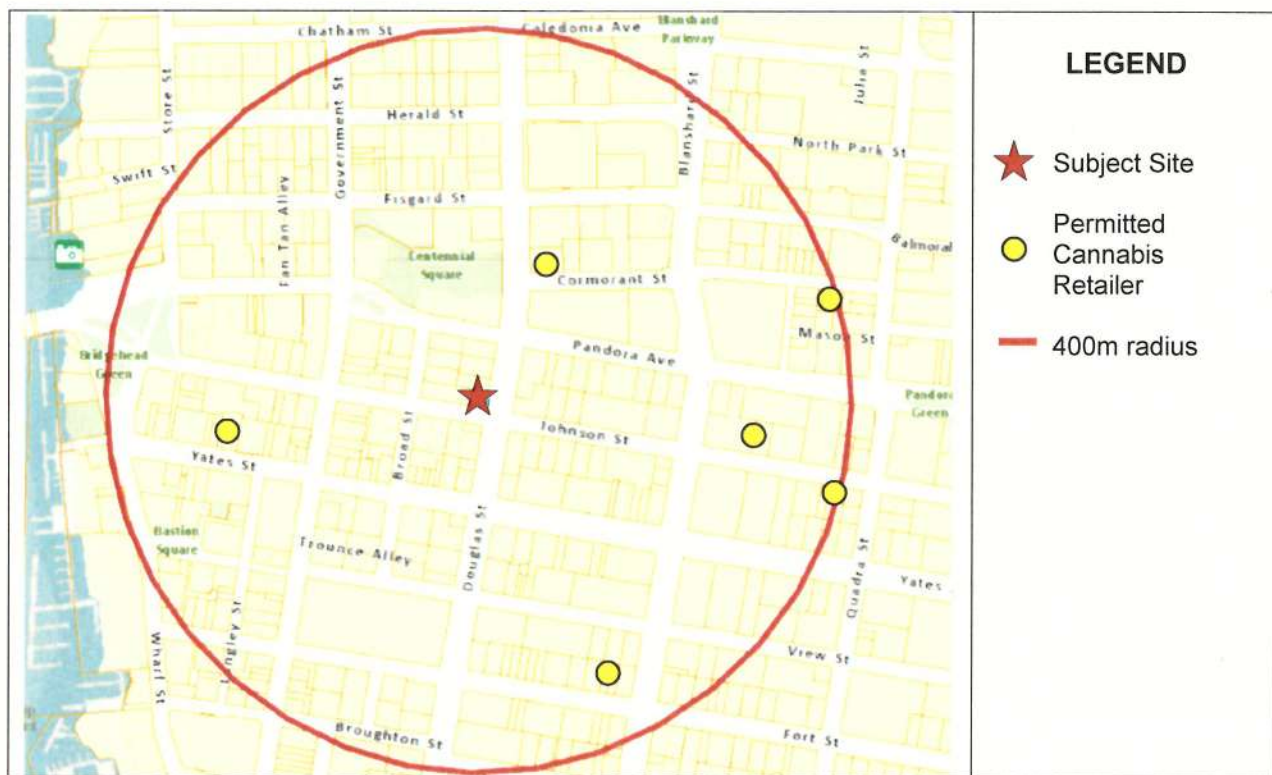
The *Downtown Core Area Plan* identifies the property within the Historic Commercial District, within which active retail uses are encouraged on the ground floor.

#### Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this Application and there are no impacts to public trees with this Application.

#### Storefront Cannabis Retailer Rezoning Policy

While the *Storefront Cannabis Retail Rezoning Policy* does not speak directly to maximum sizes of retailers, this Application could be considered an increase in the intensity of the use. This increase in intensity would be inconsistent with the policy, as there are six approved retailers within 400m of the subject site: 1601 Douglas Street, 826 Johnson Street, 851 Johnson Street, 853 Cormorant Street, 546 Yates Street and 778 Fort Street. However, the property has already been approved for this use and it is unlikely that an expansion would have a deleterious effect on the streetscape or present as a concentration of this type of use in the area. An Alternate Motion, which would advance the application for consideration at a Public Hearing, has also been provided below.





## CONCLUSIONS

The proposal is consistent with both the OCP and the *Downtown Core Area Plan* in terms of encouraging retail uses at street level; however, the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy* as there are now six permitted storefront cannabis retailers within 400m the subject property. Therefore, staff recommend that Council consider declining this Application.

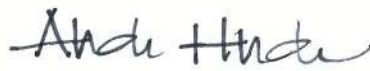
## ALTERNATE MOTION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00658 for 1402 Douglas Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Respectfully submitted,

Michael Angrove  
Planner  
Development Services



Andrea Hudson, Acting Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

  
Date: Nov 2, 2018

**List of Attachments:**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped August 27, 2018
- Attachment D: Letter from applicant to Mayor and Council dated August 24, 2018
- Attachment E: Correspondence (letters received from residents).



PANDORA AV

625  
to  
633

647 653 1450

1415-19

1420  
1416

1407/09

1414  
1410 to634  
to  
6421404  
1402

JOHNSON ST

1327  
to  
1315

631-641

645-651

659 1328

1324

1322

1324

1402 & 1404 Douglas Street  
Rezoning No.00658

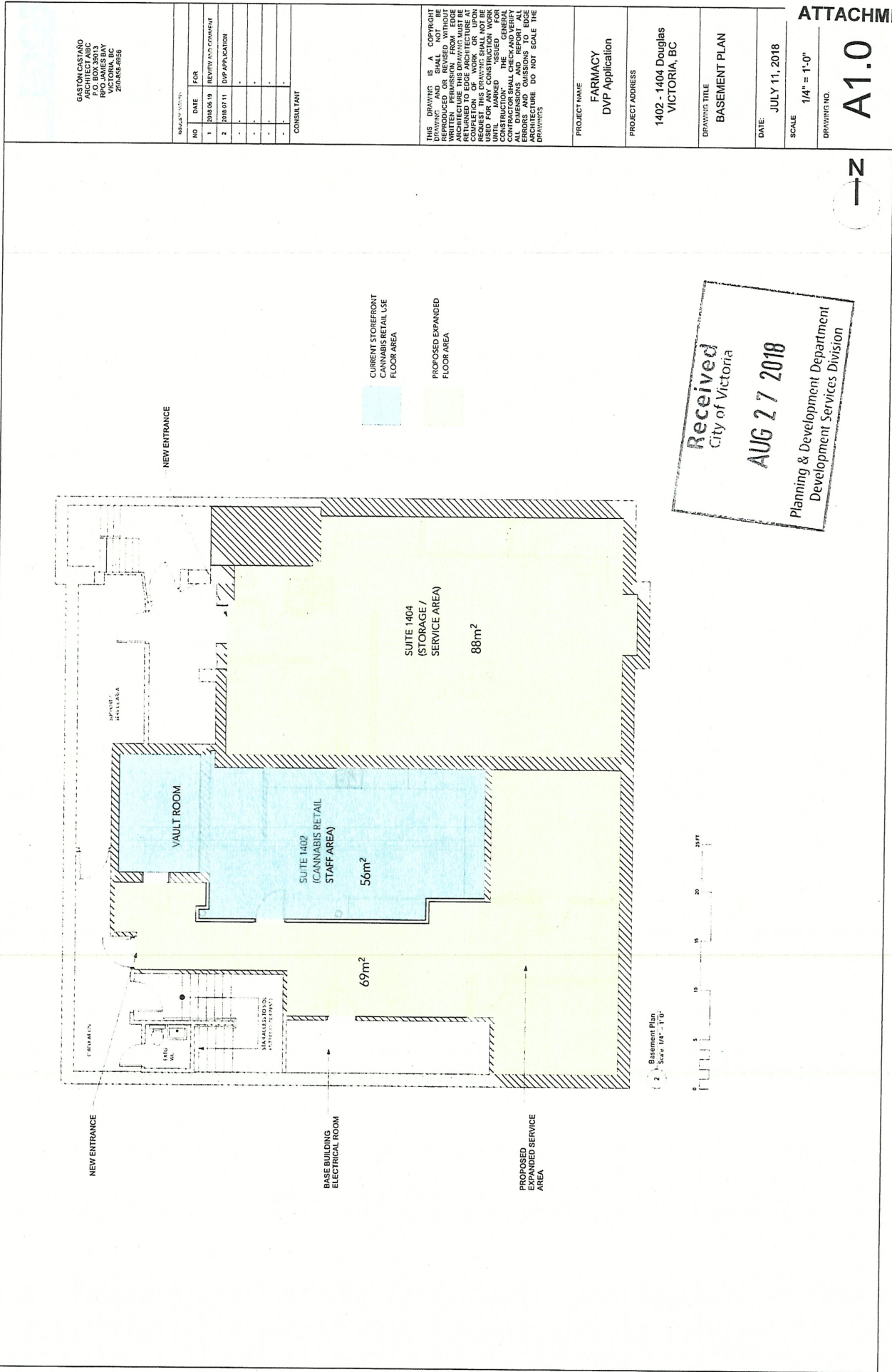






1402 & 1404 Douglas Street  
Rezoning No.00658





GASTON CASTANO  
ARCHITECT ABC  
P.O. BOX 39013  
VICTORIA BC  
V8N 1X1  
250-463-6656

REVISIONS		
NO.	DATE	FOR
1	2018.05.19	REVIEW AND COMMENT
2	2018.07.11	DVP APPLICATION
-	-	-
-	-	-
-	-	-
-	-	-

CONSULTANT

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PROJECT NAME  
FARMACY  
DVP Application

PROJECT ADDRESS  
1402 - 1404 Douglas  
VICTORIA, BC

DRAWING TITLE  
BASEMENT PLAN

DATE  
JULY 11, 2018

SCALE  
1/4" = 1'-0"

DRAWING NO.

A1.0

—Z

GASTON CASTANO  
 ARCHITECT  
 P.O. BOX 39013  
 RPO JAMES BAY  
 VICTORIA BC  
 250-655-6966

REVISIONS		
NO	DATE	FOR
1	2018.06.19	REVIEW AND COMMENT
2	2018.07.11	DVP APPLICATION
-	-	-
-	-	-
-	-	-
-	-	-
CONSULTANT		

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PROJECT NAME  
 FARMACY  
 DVP Application

PROJECT ADDRESS  
 1402 - 1404 Douglas  
 VICTORIA, BC

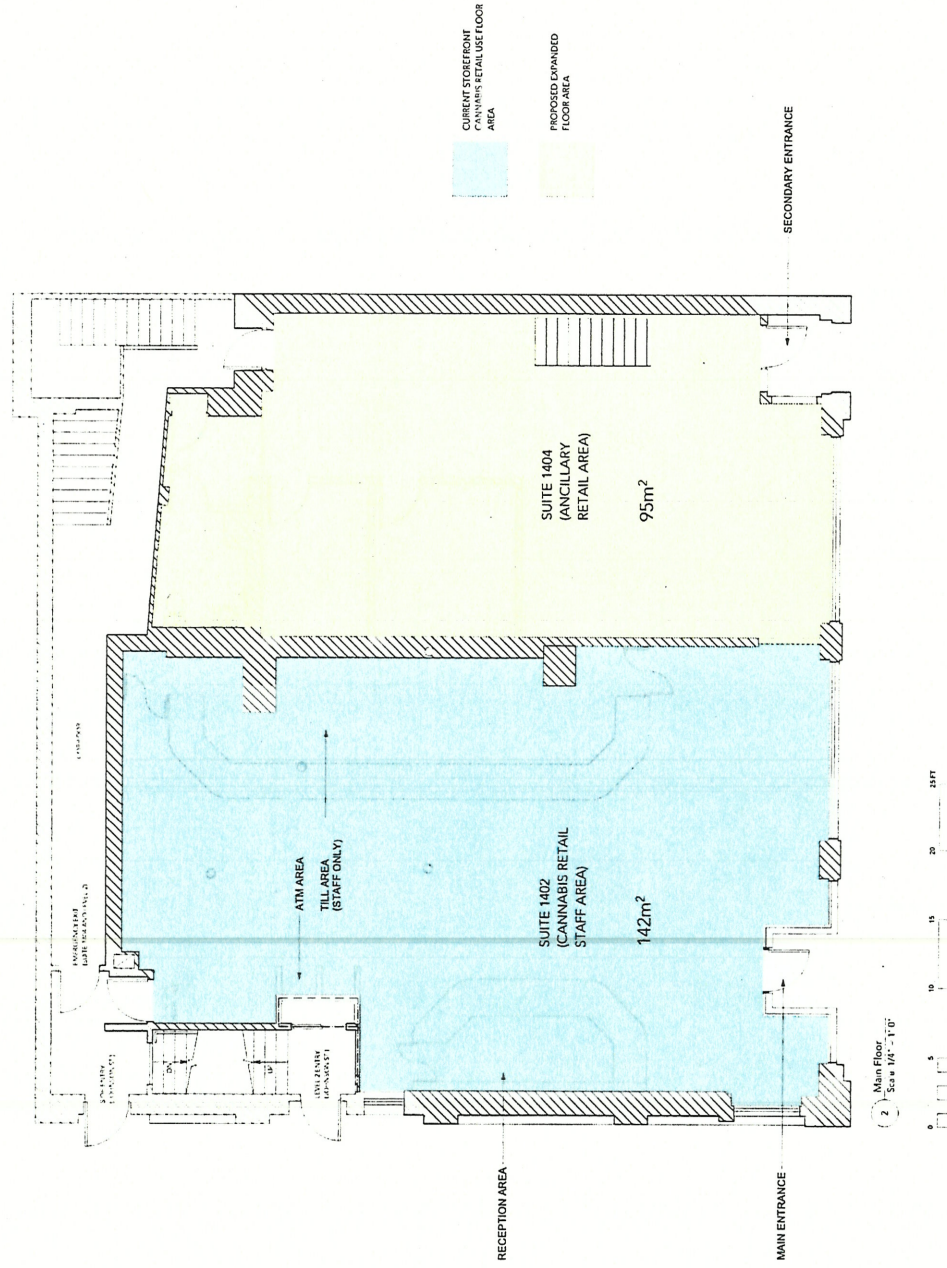
DRAWING TITLE  
 MAIN FLOOR PLAN

DATE  
 JULY 11, 2018

SCALE  
 1/4" = 1'-0"

DRAWING NO.

A1.1



Received  
 City of Victoria  
 AUG 27 2018  
 Planning & Development Department  
 Development Services Division



August 24, 2018

Mayor Lisa Helps & Council  
City of Victoria  
One Centennial Square  
Victoria BC V8W 1P6

**RE: STOREFRONT CANNABIS RETAILER REZONING APPLICATION  
FOR 1402 DOUGLAS STREET**

Dear Mayor Helps & Council:

**INTRODUCTION**

Please accept this letter, along with the accompanying forms and fees, as our client's (business name, "Farm") rezoning application for the property at 1402 Douglas Street. This site, recently rezoned CA-82 (Old Town Cannabis District), and issued with a Cannabis Business Licence, is currently operating as a storefront cannabis retailer. Based on operational needs, we wish to apply for a rezoning to expand existing operations into the newly available adjacent retail space in the same building, thus requiring an amendment to the maximum floorspace permitted for storefront cannabis retail.

**THE SITE**

The ongoing retail function is consistent the City's land use policies, since the property (located at the corner of Douglas and Johnson Streets) is part of the *Official Community Plan* designated area of *Core Historic*. The applicant has a long term lease with the owner of the property, who supports this application. Built in 1900, the building (known as *The Porter Block*) has housed many diverse businesses over the last century, but still retains its architectural integrity and remains a Downtown Victoria landmark. This building is also "Designated" on the City's Heritage Registry.

Legally described as *the easterly 60 feet of Lot 671, Victoria City*, the site is 18.43 m by 18.35 m, for a total area of about 338 m<sup>2</sup>. The site contains a two-storey commercial building (approximately 930 m<sup>2</sup>). The owner resides in the upper storey of the same building envelope.

The building's main entrance fronts onto Douglas Street, and abuts other commercial uses on the north and west sides.

**CitySpaces  
Consulting Ltd.**

Suite 101  
848 Courtney St.  
Victoria BC  
V8W 1C4

250.383.0304 Tel  
866.383.0304 Toll-free  
250.383.7273 Fax  
[www.cityspaces.ca](http://www.cityspaces.ca)

Victoria

Vancouver





## THE PREMISES

The premises consist of a storefront with a monitored entrance that faces Douglas Street. The existing ground level interior floor plan provides an exterior entrance leading into a 142 m<sup>2</sup> cannabis "retail" area, in which product is displayed in secure glass cases that can only be accessed by staff. The basement level consists of preparation, packaging, and storage space. The total floor area for the business is 198 m<sup>2</sup>.

During the renovations after the initial rezoning, Farm made extensive and high quality capital improvements to the premises and property, including restoration of an original heritage entrance on Douglas Street. These renovations have enhanced the urban streetscape at this prominent Downtown intersection.

## RATIONALE FOR ADDITIONAL FLOORSPEACE

Since operations began at Farm (Douglas Street) in April 2018, there has been a steady increase in clientele to the point where there are customer line-ups within the premises. This location has become a "destination" site for retail cannabis in Downtown Victoria for tourists and locals alike. With the upcoming legalization of recreational cannabis, Farm anticipates the demand for cannabis will only continue to grow.

This early success has meant an increase in storage space is already necessary, and having more actual retail space would increase safety and security by giving staff better sightlines of the entrance, the display cabinets, and the client mix in general.

The owner of the building (Paul DaCosta, Flower Power Enterprises) is in the process of retiring and closing his adjacent storefront AVEDA business within 1402 Douglas Street. Expansion into this street level space would add 95 m<sup>2</sup> to the main floor cannabis retail area. Given that the AVEDA location also contains 88 m<sup>2</sup> of available basement space, it makes practical sense to include that floorspace as part of the designation, and add it to the existing Farm administration/packaging area. The new total floor area would be 450 m<sup>2</sup>, although only 237 m<sup>2</sup> would actually be storefront "retail" space. No exterior changes to the building are proposed.

## SITE PROFILE

Because renovations to the building to expand the retail and storage spaces will not disturb the soil or involve soil excavation, and none of the uses indicated in Schedule 2 (as indicated in the Ministry of Environment Administrative Guidance on Contaminated Sites) has occurred on the site, a site profile has not been submitted with this application.



## ONGOING OPERATIONAL REQUIREMENTS

The following operational requirements are in place, and will continue into the proposed expanded space:

- Admittance is restricted to adults 19+ years of age;
- Exterior signage meets the City's bylaw requirements;
- No consumption of product is permitted on the premises;
- The business operates within designated hours of operation, and does not operate between 8 pm and 7 am;
- Health and safety warnings are posted within the premises;
- Adequate ventilation is provided;
- All security provisions have been met, including a security plan, surveillance cameras, security personnel, training, and a minimum of two employees on-site during business hours, one of whom is a manager; and
- Security and fire alarms are installed, and professionally monitored.

## CLOSING

In addition to the Douglas Street location, for the past three years, the applicant has been operating the original "Farm" cannabis dispensary (3055A Scott Street) in a safe and professional manner. Operated to rigorous standards, and respectful of its neighbours, "Farm" intends to continue this level of professionalism within the proposed expanded premises at 1402 Douglas Street.

Thank you for your favourable consideration of this application.

Sincerely,

A handwritten signature in black ink, appearing to read "Deane Strongitharm", with a long horizontal flourish extending to the right.

Deane Strongitharm, MCIP, RPP

cc: Paul DaCosta  
Allen Spillette  
Michael Supowitz

Attachs.

MAYOR'S OFFICE

OCT 06 2017

VICTORIA, B.C.

2 October 2017

The Honorable Mayor Lisa Helps  
Honorable Members of the Council  
City of Victoria  
1 Centennial Square  
V8W 1P6

Dear Mayor Helps,

First, I want to commend you for your leadership in developing bicycle lanes in Victoria. As the population density and traffic congestion increase, bicycle and public transportation will become even more important for living in the city. Although bicycle lanes seem to have become a contentious topic for automobile drivers, I hope that will pass with more experience. I believe that the city leaders who support this effort are on the right side of history. I thank you.

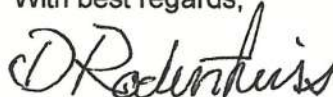
I am writing today because of a growing concern for cannabis retailing in the city. I'm sure you would agree that these retailers are an additional threat to the stability of the downtown retailing area that is already burdened by homelessness and the effects of drugs and mental illness. Cannabis retailing makes this worse, not better; it is going in the wrong direction.

In this regard, I am writing to call your attention to the situation on the 1400 block of Douglas Street. It is my understanding that cannabis retailing and the lust for those illusionary profits are displacing some established business; eg, the *Taste of Europe Deli* at 1412 Douglas.

Although leasing arrangements is a matter of business decision, the municipality has a responsibility to monitor and guide the development of commerce, especially in the city center. Moreover, the choices that you make will affect all of us who live in the metropolitan area. We all have some skin in this game, and I have strong objections to the development of cannabis retailing in the city centre.

I would be grateful if you would investigate this situation on Douglas Street and send me a report of your judgment in this matter.

With best regards,

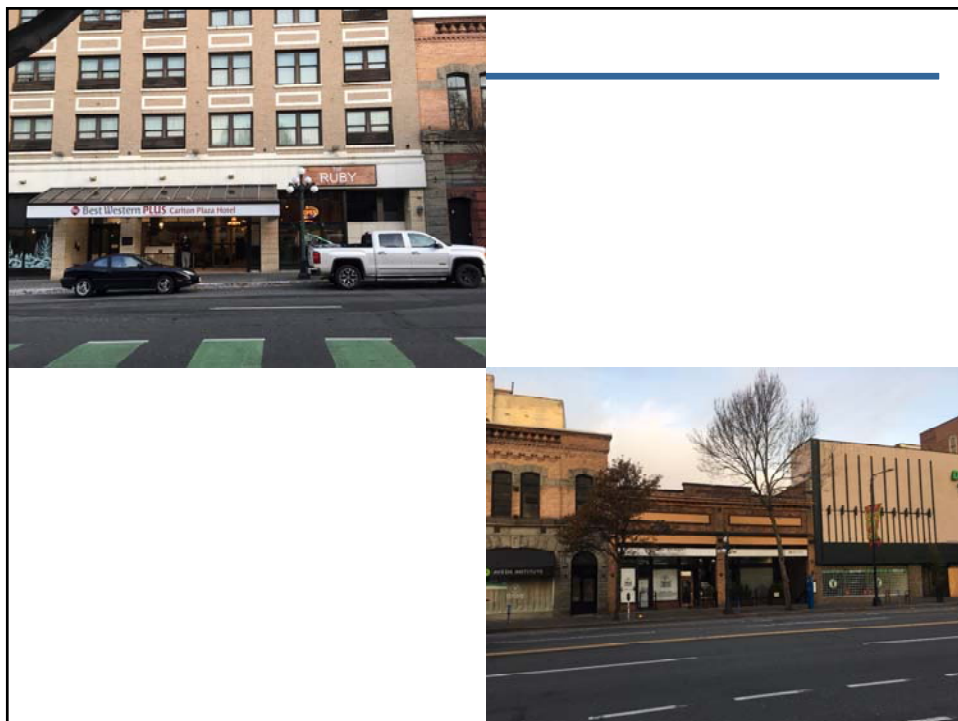
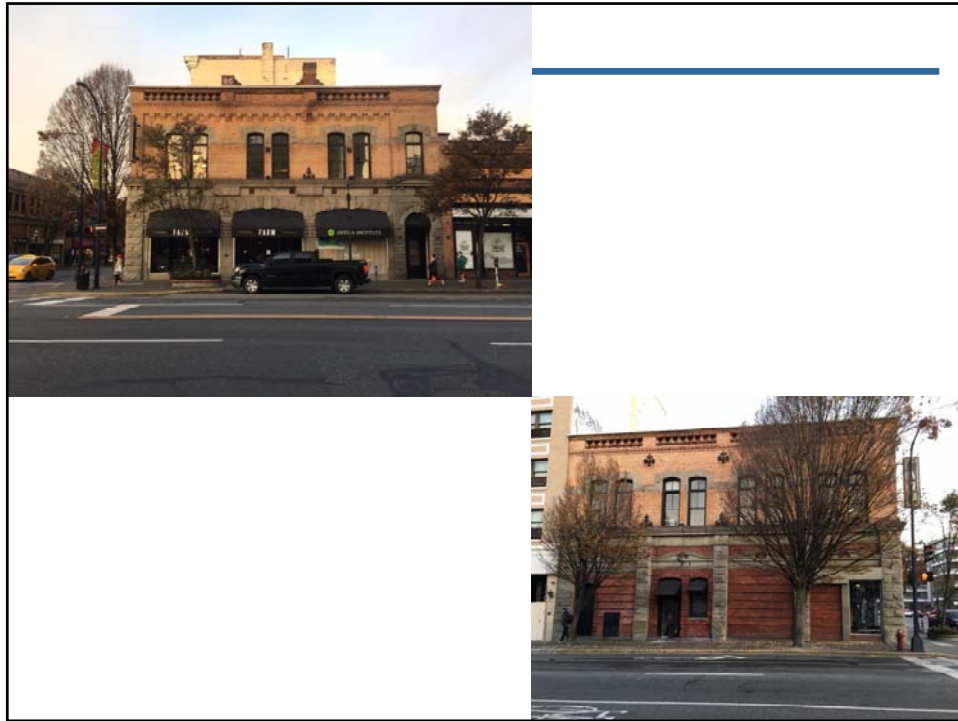


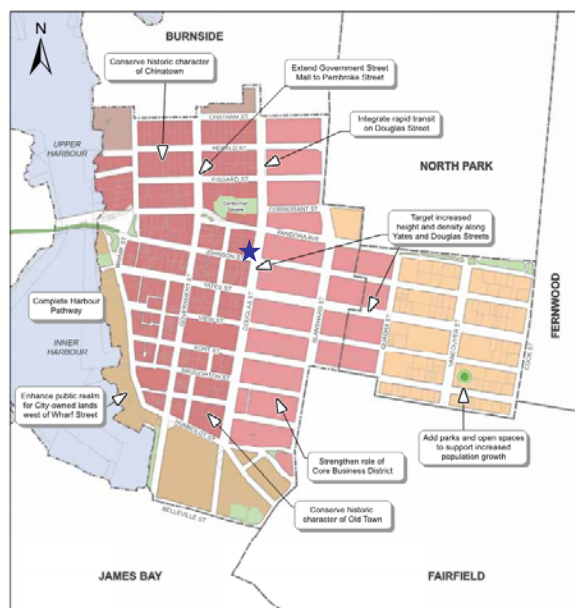
David Rodenhuis



# Rezoning Application for 1402 Douglas Street







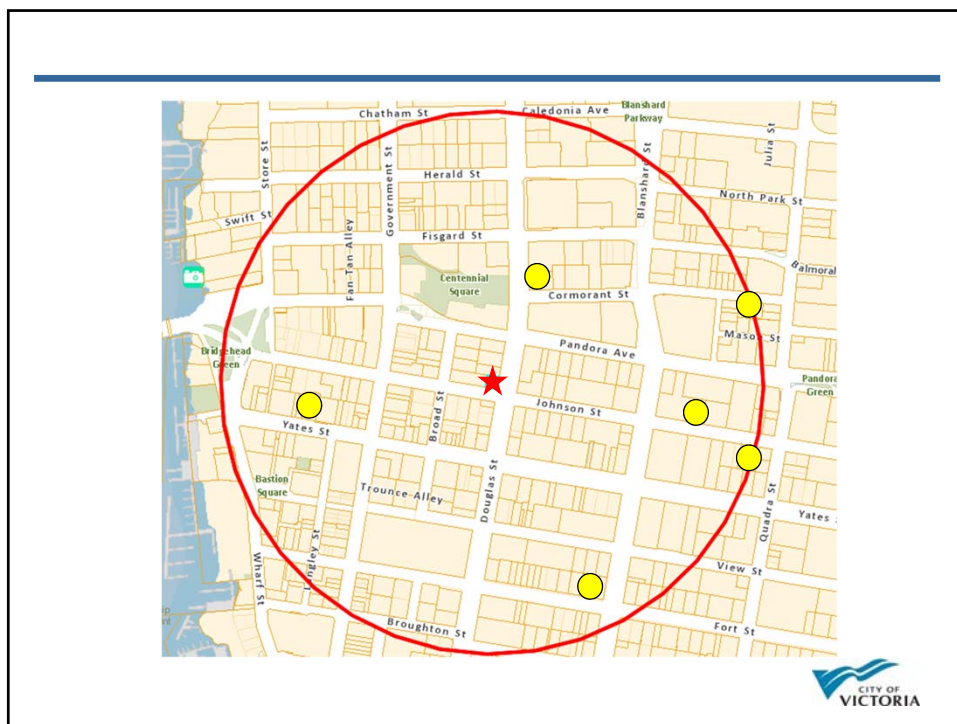
**MAP 20**  
Downtown and  
Harris Green  
Strategic Directions

- Urban Place Designations\***
- Core Historic
  - Core Business
  - Core Employment
  - Core Inner Harbour/Legislative
  - Core Residential
  - Public Facilities, Institutions, Parks and Open Space
  - Rail Corridor
  - Working Harbour

- Public Facilities**
- Proposed Park (approximate location)

\*Urban Place Designations are provided for information purposes only. Please refer to Map 2 and Figure 8 for designation information.





# M E M O R A N D U M

**TO:** Mayor Helps & Members of Council

**FROM:** Deane Strongitharm

**DATE:** November 19, 2018

**RE:** Retail Cannabis Rezoning Application for 1402 Douglas Street

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**An application to expand the area of cannabis retail within the existing zoned lot at 1402 Douglas Street is to be considered by Council at the November 22, 2018 Committee of the Whole Meeting.**

## BACKGROUND

- Cannabis retail zoning was approved for the property in September 2017. The applicant (The Original FARM) was the first to actually apply for and receive rezoning and business licence approval of the site prior to the store's opening in Spring 2018. During the rezoning application process, the applicant communicated with its surrounding neighbours, and received their support.
- The original application included agreement by the owner to designate the building as "heritage" as part of the new zoning designation. The applicant also invested about \$1 million in tenant improvements to complement the building's heritage designation status.
- The Original FARM has more than 100 staff, and operates an education centre in a separate commercial space adjacent to its other retail location at 3055A Scott Street. Both stores are currently closed to comply with the Province's new licensing requirements (unlike many other stores), and is currently awaiting confirmation on the City of Victoria's approval requirements with respect to feedback on Provincial licence applications.

## CURRENT APPLICATION

- The adjacent storefront in the 1402 Douglas Street building has become available, and would greatly assist the owner with additional space for product presentation, customer convenience and queuing, and educational displays.
- The entire lot at 1402 Douglas Street is zoned for cannabis retail, but the zone restricts the size of the retail area to 200 m<sup>2</sup>, which is what the owner requested at the time of rezoning. In hindsight, more basement storage space should have been included.
- The new application before Council approximately doubles the gross floor area. However, this is because, with the exception of the electrical room, the entire basement will be included in the allowable floor space for the purpose of storage, product packaging, basement hallways, and other



common areas. It simply makes sense to zone the entire basement to ensure compliance in every way in terms of activities accessory to the upstairs storefront retail space. **The actual “additional retail space” on the main floor is only 95 m².**

- The City staff report recommends the application be declined because there are other stores within 400 m. The 1402 Douglas Street property is zoned for cannabis retail, and the store already exists. It is only the size of the area within the building that is the subject of the rezoning. The application is NOT setting a precedent with respect to proximity of other retail stores.
- Council's updated policy regarding the distance between cannabis retail locations (October 27, 2017) states that:  
  
***“This policy is intended to guide applicants and City staff as part of the application process, but it is not intended to fetter Council's discretion when dealing with individual applications, each of which will be evaluated on its own merits.”***
- The applicant has demonstrated the highest level of responsibility, integrity, and professionalism in working with the City and the Province on the zoning and licensing of its retail stores. We believe the 400 m separation from other cannabis retailers is inappropriate in this instance, and that this application merits consideration at a Public Hearing.

**We respectfully request that Council forward the rezoning application for 1402 Douglas Street to Public Hearing.**



**Committee of the Whole Report  
For the Meeting of November 22, 2018**

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**To:** Committee of the Whole **Date:** November 8, 2018

**From:** Andrea Hudson, Acting Director,  
Sustainable Planning and Community Development

**Subject:** Rezoning Application No. 00605 for 926 and 932 Pandora Avenue

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**RECOMMENDATION**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00605 for 926 and 932 Pandora Avenue; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Provide a Sewage Attenuation Report prepared by a qualified engineer to determine if the proposal would result in increased sewage flow rates, to the satisfaction of the Director of Engineering and Public Works.
2. Provide a Road Dedication Plan for a dedication of 1.38m on Pandora Avenue, to the satisfaction of the Director of Engineering and Public Works.
3. Preparation and execution of a Housing Agreement to secure:
  - i) ten percent of the residential units (approximately 15 dwelling units of which seven of the units would be two and three bedroom units and suitable for families in accordance with the applicant's letter dated November 1, 2018) as affordable rental units (rents at 15% below appraised market rents) in perpetuity and in accordance with an appraisal provided to the city annually
  - ii) ensure that future Strata Bylaws cannot prohibit the rental of the other units in the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Secure an amenity contribution in the amount of \$614,000.00 towards the Downtown Core Area Public Realm Improvement Fund (75%) and the Downtown Heritage Buildings Seismic Upgrade Fund (25%) and to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

**LEGISLATIVE AUTHORITY**

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures; the density of the use of the land, building



and other structures; the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone; one generally applicable for the zone, and the others to apply if certain conditions are met.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units, and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

## EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the properties located at 926 and 932 Pandora Avenue. The proposal is to rezone from the CA-1 Zone, Pandora Avenue Special Commercial District, to a new zone in order to increase the permitted density from 3:1 floor space ratio (FSR) to 4.55:1 FSR and to allow for an 11-storey, mixed-use building consisting of residential and commercial uses.

The following points were considered in assessing this Application:

- the subject properties are designated Core Residential in the *Official Community Plan*, 2012 (OCP), which supports mixed-use buildings from three storeys up to approximately 20 storeys, and a density of up to 5.5:1 FSR
- the subject properties are designated Residential Mixed-Use District in the *Downtown Core Area Plan*, which supports mixed-use buildings on Pandora Avenue up to approximately eight to ten storeys, and a density of up to 5.5:1 FSR
- the applicant is willing to offer ten percent of the residential dwelling units (approximately 15 dwelling units) as affordable rental units and provide rents at 15% below appraised market rents in perpetuity and in accordance with an appraisal provided to the city
- The applicant has volunteered to provide road dedication in the amount of 1.38m on Pandora Avenue
- the proposal is subject to the City's *Density Bonus Policy* and a land lift analysis was prepared by Rollo & Associates. The economic analysis concluded that the lift from the proposed rezoning for additional density would be approximately \$818,000.00, and as a result, the City would seek a target of 75% of the increase in land value in accordance with Council's Policy. As a condition of rezoning, the applicant would be providing an amenity contribution in the amount of \$614,000.00 towards the *Downtown Core Area Public Realm Improvement Fund* (75%) and the *Downtown Heritage Buildings Seismic Upgrade Fund* (25%).

## BACKGROUND

### Description of Proposal

This Rezoning Application is to increase the permitted density from 3:1 floor space ratio (FSR) to 4.55:1 FSR, and to allow an 11-storey, mixed-use building consisting of residential and commercial uses. The following differences from the standard zone (CA-1 Zone, Pandora Avenue Special Commercial District) are being proposed and would be accommodated in the new zone:

- allowing a residential use on the ground floor
- increasing the FSR and total floor area
- increasing the height of building.

### **Affordable Housing Impacts**

The applicant proposes the creation of approximately 148 new residential units which would increase the overall supply of housing in the area. Of the 148 residential units, the applicant is willing to offer ten percent of the residential units (approximately 15 dwelling units) as affordable rental units and provide rents at 15% below appraised market rents in perpetuity and in accordance with an appraisal provided to the city annually. The applicant would ensure that seven of the units would be two and three bedroom units and suitable for families. The applicant is willing to enter a Housing Agreement to ensure Housing Agreement to secure the rental units as well as to ensure that future Strata Bylaws cannot prohibit the rental of the other units in the building (letter attached).

### **Tenant Assistance Policy**

There are currently no residential rental units on-site; therefore, the Tenant Assistance Policy would not apply to this application.

### **Sustainability Features**

The applicant is proposing to incorporate several green roofs throughout the building to help manage stormwater and on-site runoff.

### **Active Transportation Impacts**

The applicant is proposing to provide 178 long-term and 18 short-term bicycle parking spaces on-site, which support active transportation.

### **Public Realm Improvements**

No public realm improvements are proposed in association with this Rezoning Application.

### **Accessibility Impact Statement**

The British Columbia Building Code regulates accessibility as it pertains to buildings.

### **Land Use Context**

The area is characterized by a mix of residential and commercial land uses.

### **Existing Site Development and Development Potential**

The site presently contains a one and a two-storey commercial building and a paid parking lot. Under the current CA-1 Zone, the property could be developed as a five-storey, mixed-used development with ground-floor commercial and residential above.

### **Data Table**

The following data table compares the proposal with the existing CA-1 Zone. An asterisk is



used to identify where the proposal is less stringent than the existing Zone.

<b>Zoning Criteria</b>	<b>Proposal</b>	<b>Zone Standard (CA-1)</b>
Site area (m <sup>2</sup> ) – minimum	2600.00	n/a
Density (Floor Space Ratio) – maximum	<b>4.55:1 *</b>	2.00:1
Total floor area (m <sup>2</sup> ) – maximum	<b>11,840.00 *</b>	5351.20
Height (m) – maximum	<b>30 * / 32.34 *</b> (stair access to mechanical)	15.50
Storeys – maximum	10 (building) /11 (stairs to mechanical)	n/a
Site coverage % – maximum	76.90	n/a
Location of residential	<b>Mason Street ground floor *</b>	Second storey and above
<b>Setbacks</b> (m) – minimum		
Street Setback (Pandora Ave)	<b>2.10 *</b>	3.00
Street Setback (Mason St)	3.00	3.00
Side (West)	0.00	0.00
Side (East)	0.00	0.00
<b>Vehicle parking</b> – minimum		
CA-1 Zone	117	88
Visitor parking – minimum included in the overall units	12	8
Schedule C	<b>105 *</b>	154
Schedule C - Visitor	<b>12 *</b>	15
<b>Bicycle parking</b> – minimum		
Schedule C		
Class 1	178	149
Class 2	18	7

## Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the North Park CALUC at a Community Meeting held on July 5, 2017. A letter dated July 25, 2017 is attached to this report.

## Official Community Plan

The *Official Community Plan* (OCP) Urban Place Designation for the subject property is Core Residential, which supports mixed-use buildings from three storeys, up to approximately 20 storeys, and a base density of 3:1 floor space ratio (FSR), up to a maximum of 5.5:1 FSR. The applicant is proposing an 11-storey building (the eleventh storey is a mechanical room), and a density of 4.55:1, which is supported in the OCP.

The OCP encourages new buildings to contribute to the sense of place in Development Permit Areas and Heritage Conservation Areas through sensitive and innovative responses to existing form and character. In the immediate neighbourhood the tallest buildings are Our Place, which is six-storeys; and the six-storey, mixed-use buildings currently under construction at the corner of Pandora Avenue and Vancouver Street. There is a heritage-registered commercial building located at 916 Pandora Avenue (three properties to the west of the subject property), a heritage-designated church located at 1611 Quadra Street (on the corner of Mason and Quadra Streets), as well as a heritage-designated Alix Goolden Performance Hall across the street on Pandora Avenue. Given the subject property's close proximity to St. John the Divine Anglican Church, Alix Goolden Performance Hall, and the First Baptist Church (heritage buildings), a small portion of the site is within the 90m heritage landmark radius identified in the OCP, and as a result, maintaining views of these heritage buildings from a public realm perspective is strongly encouraged in the OCP. The proposal has incorporated some architectural treatments that compliment these neighboring heritage buildings, which is discussed in the concurrent report associated with the Development Permit Application.

From an urban design perspective, the OCP encourages human-scale building design through consideration of form, proportions, pattern detailing and texture, particularly at street-level. Along the Pandora Avenue frontage, the applicant is proposing ground-floor commercial space in order to enhance the streetscape, public realm and pedestrian experience. Incorporating ground-floor commercial space in this building would also add additional services in the neighbourhood for the growing neighbourhood population. On the Mason Street frontage, the applicant is proposing larger townhouse units at grade level (two bedrooms plus a den, suitable for families) with large private patios fronting Mason Street, which adds to the human scale qualities of this building and enhances the streetscape, also strongly encouraged in the OCP. Lastly, all vehicle parking would be provided underground, and therefore, the site would be dominated by building and landscaping (not surface or underbuilding parking), which further advances the objectives in the OCP.

## Downtown Core Area Plan

The subject properties are within the Residential Mixed-Use District in the *Downtown Core Area Plan*, 2011 (DCAP), which supports mixed-use development up to approximately ten storeys and a density up to approximately 5:1 FSR. In order to increase pedestrian activity and improve the vitality of the area, the DCAP encourages active commercial and retail uses at street-level along Pandora Avenue. The proposal complies with the policies with respect to use and density; however, the building is 11 storeys due to a mechanical room which is considered a



storey in the *Zoning Regulation Bylaw*. The mechanical room is situated in the middle of the roof and the exterior cladding would be a light coloured, pre-finished metal cladding to mitigate concerns of visual impact.

### **Density Bonus Policy**

Council's *Density Bonus Policy* applies to this proposal. The applicant engaged Rollo & Associates to conduct a land lift analysis for the City (attached). The economic analysis concluded that the lift from the proposed zoning for the additional 1.55:1 FSR of density is approximately \$818,700.00. In accordance with Council's current policy, the City would seek a target of 75% of the increase in land value, which equals to an amenity contribution in the amount of \$614,000.00. The applicant would be providing an amenity contribution in the amount of \$614,000.00 towards the *Downtown Core Area Public Realm Improvement Fund* (75%) and the *Downtown Heritage Buildings Seismic Upgrade Fund* (25%) as a condition of rezoning and to the satisfaction of the Director of Sustainable Planning and Community Development.

### **Tree Preservation Bylaw and Urban Forest Master Plan**

Six existing Flowering Cherry trees on city property on the Pandora Avenue frontage would be retained and three new trees would be planted in the Pandora bike lane median. There are approximately three new trees being proposed along the new Mason Street boulevard. One mature Pine tree on the south east property line may be removed due to impacts from the construction of the underground parkade. There are no bylaw protected trees affected by this Application.

### **Regulatory Considerations**

The applicant is proposing a new zone in order to increase the density from 3:1 FSR to 4.55:1 FSR, and to allow for residential uses on the ground-floor. The new zone would allow for a height of ten storeys, which is consistent with land use policies in DCAP. The applicant is proposing an 11-storey building due to a rooftop mechanical room, and as a result, a height variance would be required. All other regulations in the new zone would be in keeping with the current CA-1 Zone.

Embedded in the standard CA-1 Zone are residential and commercial parking regulations that are different from the parking regulations outlined in Schedule C: Off-Street Parking of the *Zoning Regulation Bylaw*. The parking regulations in the standard CA-1 Zone would be applied to this proposal. In accordance with the CA-1 Zone, the residential parking requirement is 0.55 spaces per dwelling unit, and the commercial parking requirement is 50% of the requirements in current Schedule C. Based on these parking requirements, the applicant is required to provide 88 parking spaces; the applicant is proposing 117 parking spaces. If Schedule C parking ratios were applied without reference to the existing CA-1 Zone then the parking requirement for this proposal would be 169 parking spaces resulting in a parking shortfall of 52 parking spaces. The subject property is located on an All Ages and Abilities (AAA) protected bike lane and is in close proximity to a frequent transit route and walking distance to downtown.

### **Encroachment Agreement**

With any project of this scale, that has little to no setbacks and requires significant excavation, construction methods often require a form of underpinning which can result in material being left in the Public Right-of-Way. The resulting material (typically rock anchors) presents no concerns

to the public interest and does not impact any underground infrastructure; however, an Encroachment Agreement between the City and the developer is required. The staff recommendation provided for Council's consideration includes direction to allow staff to enter into such an agreement if the Rezoning Application is approved by Council, and if it is deemed necessary to facilitate the construction of the project.

### Other Considerations

#### Road Dedication

The applicant has volunteered to provide road dedication in the amount of 1.38m on Pandora Avenue for future pedestrian enhancements along the street.

### CONCLUSIONS

The proposal to increase the permitted density from 3:1 floor space ratio (FSR) to 4.55:1 FSR and to allow for an 11-storey, mixed-use building consisting of residential and commercial uses is consistent with the land use policies outlined in the OCP and DCAP. The applicant has considered the surrounding heritage context and the need for sensitive infill development on the site. This development proposal further advances placemaking objectives in the OCP and would increase the overall supply of housing (rental and home-ownership) in the downtown core. Staff recommend for Council's consideration that the application proceed to a Public Hearing.

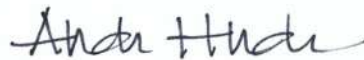
### ALTERNATE MOTION

That Council decline Rezoning Application No. 00605 for the property located at 926-932 Pandora Avenue.

Respectfully submitted,



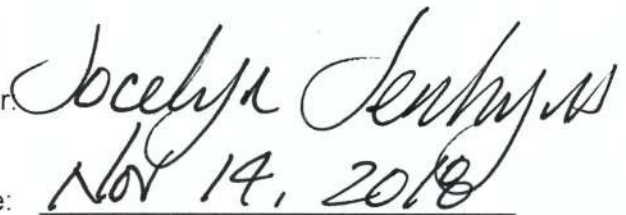
Leanne Taylor  
Senior Planner  
Development Services Division



Andrea Hudson, Acting Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager.

Date:

  
Nov 14, 2018



**List of Attachments:**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped June 27, 2018
- Attachment D1: Letter from applicant to Mayor and Council dated November 1, 2018
- Attachment D: Letter from applicant to Mayor and Council dated August 11, 2017
- Attachment E: Community Association Land Use Committee Comments dated June 7, 2017
- Attachment G1: Land Lift Analysis prepared by Rollo & Associates dated September 27, 2018.



## Committee of the Whole Report

For the Meeting of November 22, 2018

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**To:** Committee of the Whole **Date:** November 8, 2018

**From:** Andrea Hudson, Acting Director, Sustainable Planning and Community Development

**Subject:** Development Permit Application No. 000508 for 926-932 Pandora Avenue

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### RECOMMENDATION

That, subject to the exploration of design revisions to soften the vertical cement panel on the north elevation of the proposed mixed-use building to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00605, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 000508 for 926-932 Pandora Avenue in accordance with:

1. Plans date stamped June 27, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. increase the height from 30m to 32.34m for a rooftop mechanical room
  - ii. reduce the front yard setback on Pandora Avenue from 3m to 2.10m.
3. The Development Permit lapsing two years from the date of this resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.



## EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 926-932 Pandora Avenue. The proposal is to construct an 11-storey, mixed-use building consisting of residential and commercial uses. The variances are related to height and a front yard setback.

The following points were considered in assessing this application:

- the subject properties are within Development Permit Area 3(HC): Core Mixed-Use Residential. The objectives of this DPA encourage new mid- to high-rise residential mixed-use and commercial buildings and the protection of views of heritage landmark buildings along Pandora Avenue and Quadra Street from public vantage points. High-quality architecture, landscape and urban design that reflects the function of a major residential centre on the edge of a central business district in terms of scale, massing and character, while preserving a skyline with prominent heritage landmark buildings, is also strongly encouraged in this DPA.
- the design guidelines for *Downtown Core Area Plan* (2011), *Standards and Guidelines for the Conservation of Historic Places in Canada* (2005), *Guidelines for Fences, Gates and Shutters* (2010), and *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006) apply to the development proposal. Overall, the proposal is consistent with the design guidelines.
- the variance to increase the height of the building from 30m to 32.34m in order to accommodate a rooftop mechanical room is supportable and the applicant has introduced some design elements to reduce the visual impact of this element on the roof.
- the variance to reduce the front yard setback on Pandora Avenue from 3m to 2.1m is supportable and triggered by the road dedication being provided by the applicant. The applicant is proposing an active commercial street frontage, which would enhance the overall streetscape and pedestrian experience along this block of Pandora Avenue.

## BACKGROUND

### Description of Proposal

The proposal is for an 11-storey, mixed-use building consisting of commercial and residential uses. Specific details include:

- mid-rise building form consisting of contemporary architectural features, including a flat roofline, contemporary-style windows and materials, and substantial glazing
- exterior building materials consisting of clear vision glass; opaque glass spandrel; pre-finished composite aluminium panel, brick, cedar cladding and soffit; exposed concrete with epoxy coating; wood columns; aluminium and glass guardrails; pre-finished perforated metal screens; coloured glass; translucent glass balcony dividers; vertical wood screen; glass canopy; metal cladding and fibre cement panel
- substantial glazing along the ground-floor commercial space
- building projections over the outdoor areas for weather protection
- coloured glazing to be installed on the building's west stairwell and on windows facing the courtyard on the north elevation to complement the stained-glass windows in the nearby churches
- individual private patio spaces for the townhouse units fronting Mason Street
- the main residential entryway accessed off of Mason Street through a gated, landscaped courtyard which features a timber and glass entry canopy, and a secondary gated entrance off of Pandora Avenue
- roof skylight for natural light into the residential entrance off of Pandora Avenue



- glass canopies above the balconies on the tenth floor
- ground-floor amenity space for residents with access to an interior courtyard space and an operable glass wall to allow activities to extend outdoors under the cover of the building
- green roofs on levels two to five, and an outdoor amenity area on level 10 including an outdoor kitchen and dining area as well as bench seating
- planters and built in wood benches in the outdoor area in front of the commercial space
- permeable surface treatment installed throughout the site
- eight trees to be planted onsite, as well as, new soft landscaping to be installed along the Mason Street frontage extending into the courtyard area and in between the patio spaces for the townhouse units
- the parking ramp screened with climbing vines
- two levels of underground parking with access off of Mason Street
- 178 Class 1 bicycle parking spaces to be located in bike storage areas on the ground level and in parking level 1, and 18 Class 2 bicycle parking spaces to be located near the residential entryways.

The proposed variances are related to increasing the height from 30m to 32.34m and reducing the front yard setback on Pandora Avenue from 3m to 2.10m.

### **Sustainability Features**

The applicant is proposing to incorporate several green roofs throughout the building to help manage storm water and on-site runoff.

### **Active Transportation Impacts**

The applicant is proposing to provide 165 long-term and 18 short-term bicycle parking spaces on-site, which support active transportation.

### **Public Realm Improvements**

No public realm improvements are proposed in association with this Rezoning Application.

### **Accessibility Impact Statement**

The British Columbia Building Code regulates accessibility as it pertains to buildings.

### **Land Use Context**

The area is characterized by a mix of residential and commercial land uses.

### **Existing Site Development and Development Potential**

The site presently contains a one and two-storey commercial building and a paid parking lot. Under the current CA-1 Zone, the property could be developed as a five-storey, mixed-used development with ground-floor commercial and residential above.

### **Data Table**

The following data table compares the proposal with the existing CA-1 Zone. An asterisk is used to identify where the proposal is less stringent than the existing Zone.

<b>Zoning Criteria</b>	<b>Proposal</b>	<b>Zone Standard (CA-1)</b>
Site area (m <sup>2</sup> ) – minimum	2600.00	n/a
Density (Floor Space Ratio) – maximum	<b>4.55:1 *</b>	2.00:1
Total floor area (m <sup>2</sup> ) – maximum	<b>11,840.00 *</b>	5351.20
Height (m) – maximum	<b>30 * / 32.34 *</b> (stair access to mechanical)	15.50
Storeys – maximum	10 (building) /11 (stairs to mechanical)	n/a
Site coverage % – maximum	76.90	n/a
Location of residential	<b>Mason Street ground floor *</b>	Second storey and above
<b>Setbacks (m) – minimum</b>		
Street Setback (Pandora Ave)	<b>2.10 *</b>	3.00
Street Setback (Mason St)	3.00	3.00
Side (West)	0.00	0.00
Side (East)	0.00	0.00
<b>Vehicle parking – minimum</b>		
CA-1 Zone	117	88
Visitor parking – minimum included in the overall units	12	8
Schedule C	<b>105 *</b>	154
Schedule C - Visitor	<b>12 *</b>	15
<b>Bicycle parking – minimum</b>		
Schedule C		
Class 1	178	165
Class 2	18	18



## Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on June 7, 2017 the application was referred for a 30-day comment period to the North Park CALUC. A letter dated June 7, 2017 is attached to this report.

This application proposes variances; therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

## ANALYSIS

### Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* identifies this property within Development Permit Area 3 (HC): Core Mixed-Use Residential. The objectives of this DPA encourage new mid- to high-rise residential mixed-use and commercial buildings and the protection of views of heritage landmark buildings along Pandora Avenue and Quadra Street from public vantage points. High-quality architecture, landscape and urban design that reflects the function of a major residential centre on the edge of a central business district in terms of scale, massing and character, while preserving a skyline with prominent heritage landmark buildings, is also strongly encouraged in this DPA.

In the immediate neighbourhood, the tallest buildings are Our Place, which is six-storeys, and a six-storey mixed-use buildings currently under construction at the corner of Pandora Avenue and Vancouver Street. An 11-storey building along this block of Pandora Avenue would be the tallest building in the vicinity; however, it is consistent with policies. There is a heritage-registered commercial building located at 916 Pandora Avenue (three properties to the west of the subject property), a heritage-designated church located at 1611 Quadra Street (on the corner of Mason and Quadra Streets), as well as a heritage-designated Alix Goolden Performance Hall across the street on Pandora Avenue. From a heritage perspective, the applicant is proposing to use brick cladding for portions of the main floor, in response to the stone and masonry structure of the historic churches. The building's west stairwell, and some of the ground floor windows visible from Mason Street, would feature coloured accent glazing reminiscent of the stained-glass windows in the nearby churches.

Overall, the development proposal is consistent with the design guidelines from an urban design, architectural and landscaping perspective. The applicant has carefully designed the building base to ensure it addresses the human scale at street level on both the Pandora Avenue and Mason Street frontages, as well as, using a variety of materials to accentuate certain architectural elements on the north, south and west elevations. The proposed building is L-shaped, which allows for a private interior courtyard, as well as, a large roof-top outdoor amenity area on the tenth floor. The townhouse units along Mason Street would have large front yard private patio space. As well, locating all the vehicle parking underground allows for the building and landscaping to serve as the focus which enhances the streetscape.

### Downtown Core Area Plan

Overall, the proposal is consistent with the built form policies and design guidelines outlined in the *Downtown Core Area Plan*, 2011 (DCAP). The proposal complies with the street walls and setbacks for wide streets, including the primary and secondary street wall dimensions, as well as, the 1:5 building setback ratio.



The DCAP design guidelines encourage the use of visually lighter coloured materials, excluding reflective or mirrored finishes on upper portions of the building. On the north elevation, the applicant is proposing vertical cement panel that extends up to the eighth storey. To break up this relatively blank façade treatment, the applicant has added some horizontal fins and windows; however, staff still have concerns related to the “heaviness” of this element in relation to the other exterior materials above the second storey and note the addition of windows or other architectural elements may be one approach to break up this section of façade. The wording in staff’s recommendation encourages the applicant to further explore some options to soften the vertical cement panel prior to public hearing.

### **Tree Preservation Bylaw and Urban Forest Master Plan**

Six existing Flowering Cherry trees on city property on the Pandora Avenue frontage would be retained, and three new trees would be planted in the Pandora bike lane median. There are approximately three new trees being proposed along the new Mason Street boulevard. One mature Pine tree on the south-east property line may be removed due to impacts from the construction of the underground parkade. There are no bylaw protected trees affected by this application.

### **Regulatory Considerations**

#### Height Variance

The applicant is proposing to increase the height of the building from 30m to 32.34m in order to accommodate a rooftop mechanical room. With this mechanical room, the building is also considered 11-storeys. Even though the DCAP supports a building height up of to 10 storeys, which is approximately 30m tall, the increase in height is supportable as the applicant has introduced design elements to reduce the visual impact of this element on the roof. Adding habitable floor area above 30m, in the future, would trigger another variance as the proposed height variance is strictly to accommodate a rooftop mechanical room.

#### Front Yard Setback Variance

The applicant is proposing to reduce the front yard setback from 3m to 2.1m on Pandora Avenue. This variance is a result of the 1.38m road dedication being provided by the applicant instead of Statutory Right-of-Way (SRW). If a SRW was provided, then a front yard setback variance would not have been required as the building would be setback approximately 3.48m from the property line. In this context, the variance is supportable, and the applicant is proposing an active commercial frontage in order to enhance the overall streetscape and pedestrian experience along this block of Pandora Avenue.

### **Other Considerations**

The Advisory Design Panel (ADP) reviewed the proposal at the meeting of May 23, 2018. The minutes from the meeting are attached for reference and the following motion was carried:

*“It was moved that the Development Permit Application No. 000508 for 926 - 932 Pandora Avenue be approved:*

*1. subject to the following recommendations:*

- a) introduce non-reflective materials in lieu of spandrel panels;*
- b) revise the 9<sup>th</sup> floor continuous balcony;*



c) *refine both Pandora Avenue and Mason Street streetscapes and entrances; and*

2. *with consideration to the following recommendations:*

- a) *reconfigure the garbage and recycling removal route;*
- b) *consider adding windows to the townhouse bedrooms;*
- c) *review the design of the amenity spaces to improve functionality, privacy and serviceability; and*
- d) *consider the Panel's comments as captured within the meeting minutes."*

The applicant has provided a letter dated June 27, 2018 (attached) addressing each recommendation and consideration provided by the ADP. With respect to the recommendations above, the applicant has reduced the amount of spandrel glass on the building and replaced this material with fibre cement panel. To break up the continuous balcony on the ninth floor, the applicant would incorporate a horizontal fibre cement panel in addition to the metal and glass guardrail system. With respect to the streetscapes and entrances, the applicant has added planters, benches and increased the canopy size at the Mason Street entrance, incorporated different surface treatment at locations along Pandora Avenue, as well as, added a skylight at the Pandora Avenue residential entrance to allow for natural light at the lobby entry.

In addition to addressing the Panel's recommendations, the applicant also took into account the other considerations provided by the ADP. With respect to the reconfiguring the garbage and recycling removal route, the applicant has indicated to staff that locating the garbage and recycling enclosure on the ground-level, in close proximity to Pandora Street as shown on the plans, is the most suitable location for garbage pick-up. Staff have not expressed any concerns with this aspect of the proposal. The applicant has clarified that the room with no windows in each of the townhouse units is a "den" not a "bedroom." With respect to the outdoor amenity space on the tenth floor, the applicant has improved its functionality, privacy and serviceability by adding a washroom and enhancing a privacy screen between the private patio space for the residential unit adjacent the amenity space and the public outdoor space of the building.

Other changes include: the applicant has added glass canopies above the balconies on the tenth floor, provided some landscaping planters on the south-west facing green roof, and revised the west facing balconies to comply with the minimum clearance from a side property line, which is 3.5m as per the *Residential Building Separation Guidelines* in DCAP.

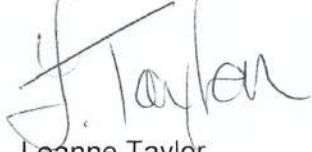
## **CONCLUSIONS**

The proposal to construct an 11-storey, mixed-use building consisting of residential and commercial uses is consistent with DPA 3(HC) and the applicable design guidelines. The height variance is supportable as it is to facilitate the construction of a roof top mechanical room. The request for a front yard setback variance on Pandora Avenue is a result of the road dedication being provided by the applicant; however, the applicant is proposing to enhance the overall streetscape and pedestrian experience along this block of Pandora Avenue, and therefore, this setback variance is supportable. Staff recommend for Council's consideration that the application proceed to an Opportunity for Public Comment.

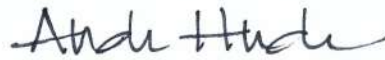
## **ALTERNATE MOTION**

That Council decline Development Permit with Variance Application No. 000508 for the property located at 926 and 932 Pandora Avenue.

Respectfully submitted,



Leanne Taylor  
Senior Planner  
Development Services Division



Andrea Hudson, Acting Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



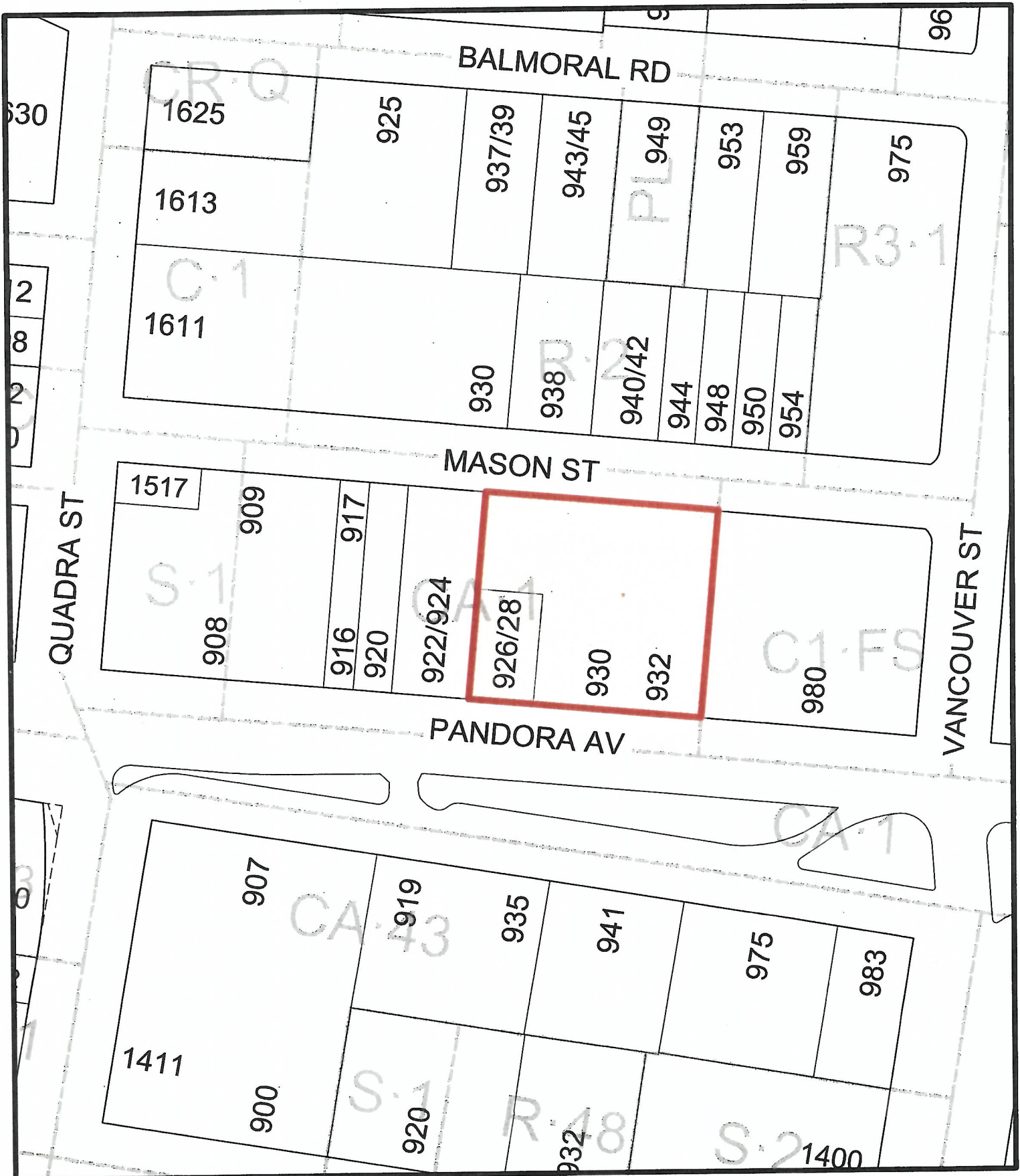
Date:

Nov 14, 2018

**List of Attachments:**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped June 27, 2018
- Attachment D: Letter from applicant to Mayor and Council dated August 11, 2017
- Attachment E: Community Association Land Use Committee Comments dated June 7, 2017
- Attachment F: ADP Meeting Minutes dated May 23, 2018
- Attachment G: Letter from applicant regarding revisions to the proposal following ADP dated June 27, 2018.





926-32 Pandora Avenue

Rezoning No.00605 &amp; Development Permit No.000508





926-32 Pandora Avenue

Rezoning No.00605 & Development Permit No.000508









Planning & Development Department  
Development Services Division

203-650 Type-Bund  
Victoria INC VSA 210  
c 250 200 500



A2

DATE: JUNE 2018  
SCALE: 1:200  
DRAWN: REVISOR FOR DEVELOPMENT PLAN

9332 PANDORA AVENUE

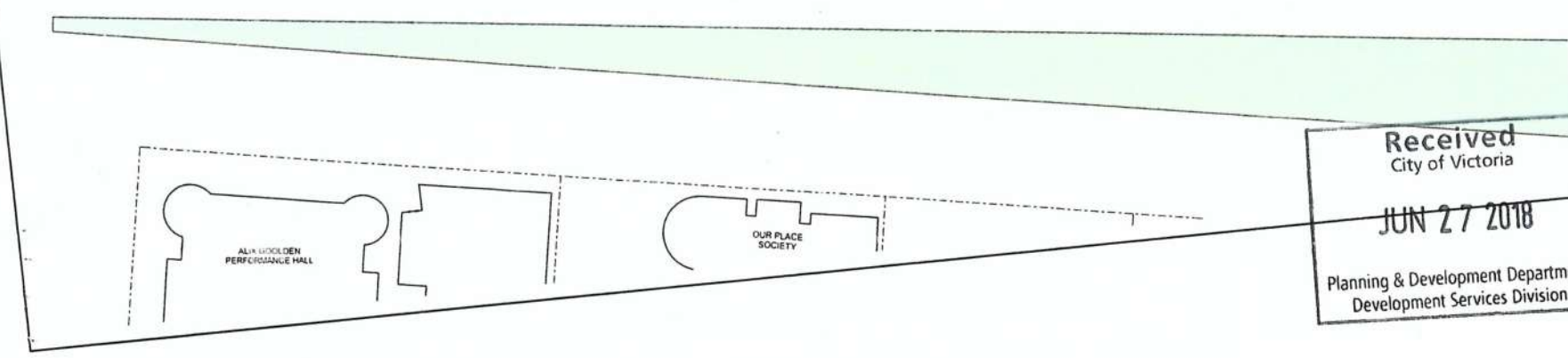
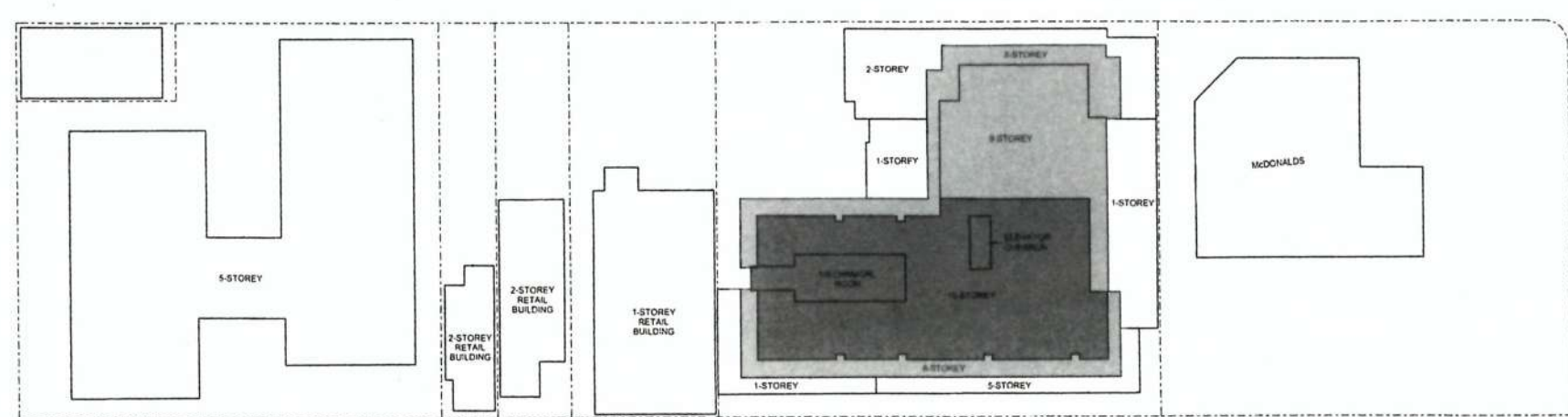
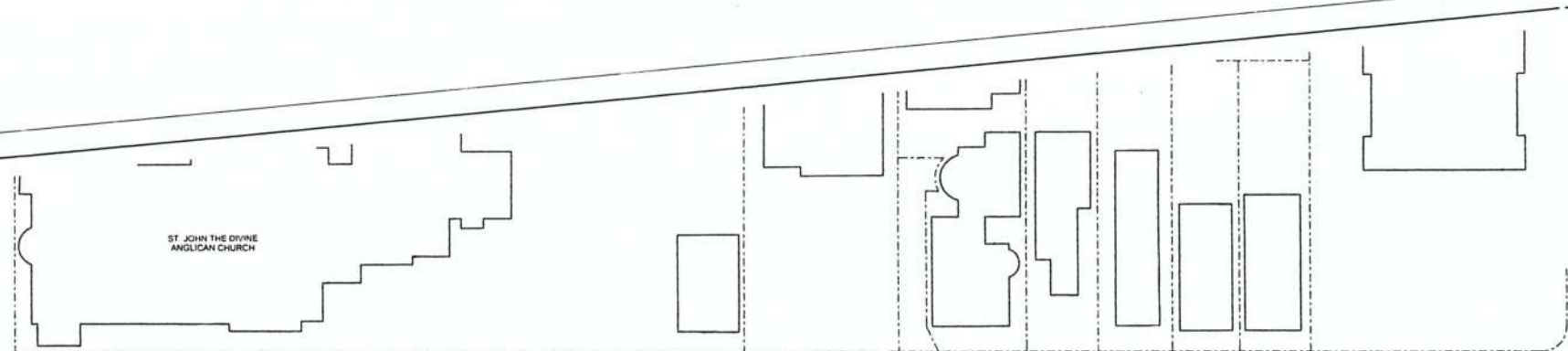
CONTEXT PLAN

VANCOUVER STREET

MASON STREET

QUADRA STREET

PANDORA AVENUE



Received  
City of Victoria

JUN 27 2018

Planning & Development Department  
Development Services Division

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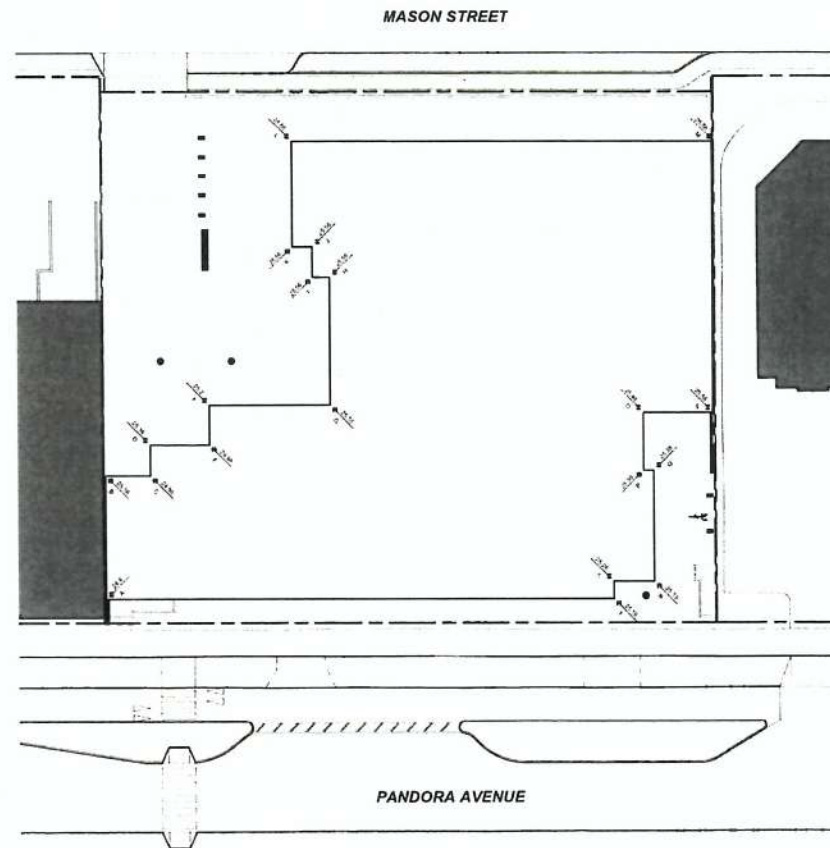
HR

201 451 7000  
201 451 7001  
1 800 361 3444

## 932 Pandora

Grade Points	Elevation	Grade Points	Average Of Both Points	Distance Between Grade Points (m)	Totals Distance
A	24.4	Points A & B	24.78	13.6	337.01
B	25.16	Points B & C	25.07	10.2	255.71
C	24.98	Points C & D	25.07	2.8	70.20
D	25.16	Points D & E	25.07	3.3	82.73
E	24.98	Points E & F	25.09	3.0	75.27
F	25.2	Points F & G	25.38	2.4	60.91
G	25.56	Points G & H	25.56	20.4	521.42
H	25.56	Points H & I	25.56	2.2	56.23
I	25.56	Points I & J	25.56	10.0	255.60
J	25.56	Points J & K	25.56	35.0	894.60
K	25.56	Points K & L	25.56	10.0	255.60
L	25.56	Points L & M	25.56	0.5	12.78
M	25.56	Points M & N	25.56	18.1	462.64
N	25.56	Points N & O	25.51	1.5	38.27
O	25.46	Points O & P	25.42	13.1	333.00
P	25.38	Points P & Q	25.38	30.6	776.63
Q	25.38	Points Q & R	25.29	3.8	96.08
R	25.19	Points K & L	25.23	10.0	252.25
S	25.26	Points L & M	25.23	0.5	12.61
T	25.19	Points M & N	25.23	45.5	1147.74
				Total	5997.28

Grade Calculation	236.5	25.86
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932 PANDORA AVENUE

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AVERAGE GRADE CALCULATION

DATE: JUNE 2015  
SCALE: 1"=20'  
ISSUE: RE-DRAW FOR DEVELOPMENT PHASE

A3

133

123

201. 055 Tyeo R Road  
Victoria BC V9A 1K5  
E 1 250 388 2208  
F 1 250 561 3418

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City of Victoria

JUN 27 2018

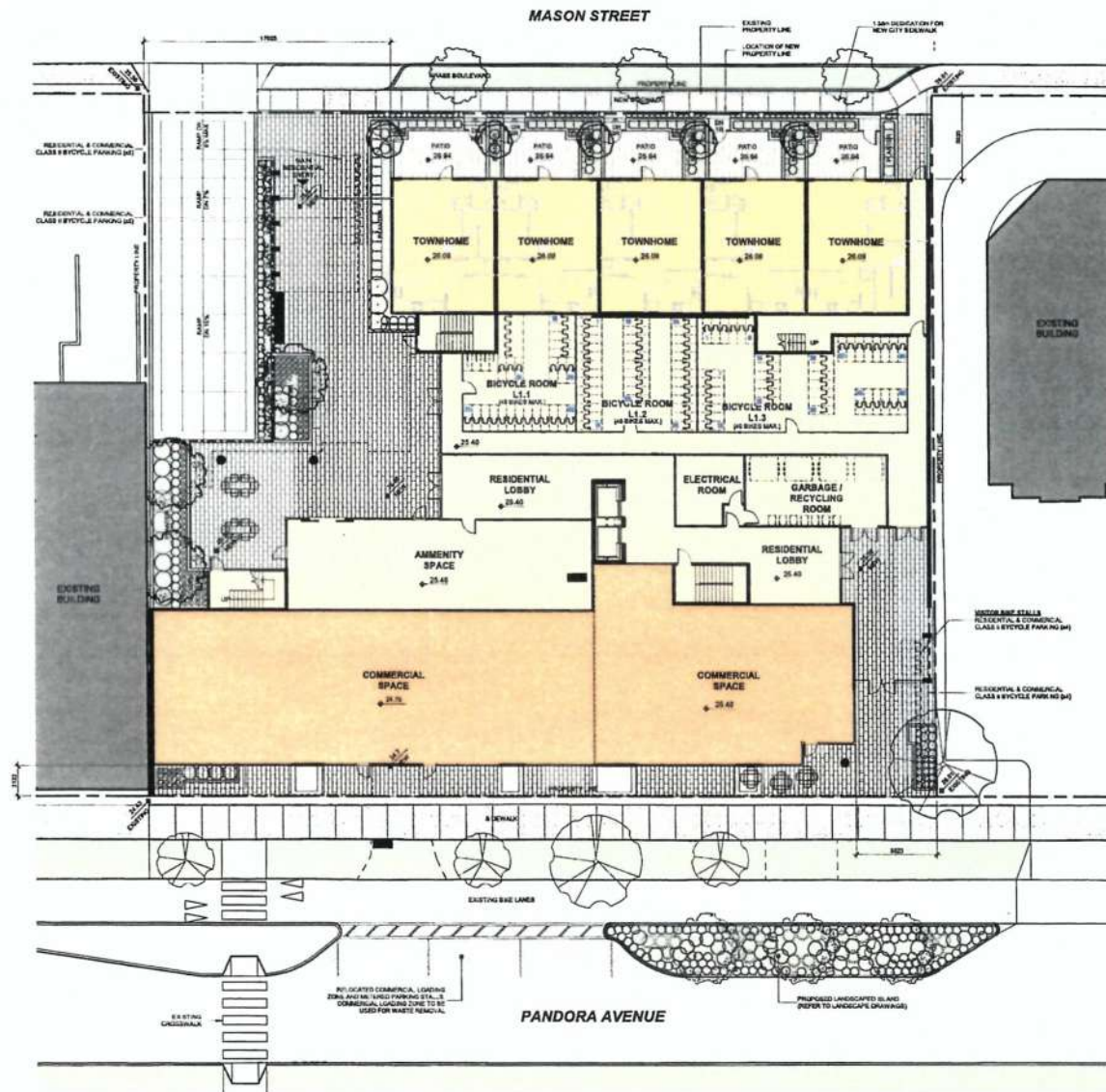
Planning & Development Department  
Development Services Division



PROJECT LOCATION



CITY OF VICTORIA  
 RECEIVED DEEMED  
 NOV 07 2018 JUN 27 2018



932 PANDORA AVENUE  
 SITE PLAN  
 DATE: JUNE 2018  
 SCALE: 1:500  
 DRAWN: THESEAS FOR DEVELOPMENT PRINT



CEI  
 HDR

200-445 7th Ave Road  
 Suite 100  
 Victoria, BC V8T 1A1  
 T: 250.683.8118



A5

DATE: JUNE 2018  
SCALE: 1:100  
SCALE: SEE MARKS FOR DEVELOPMENT PERMIT

# 932 PANDORA AVENUE

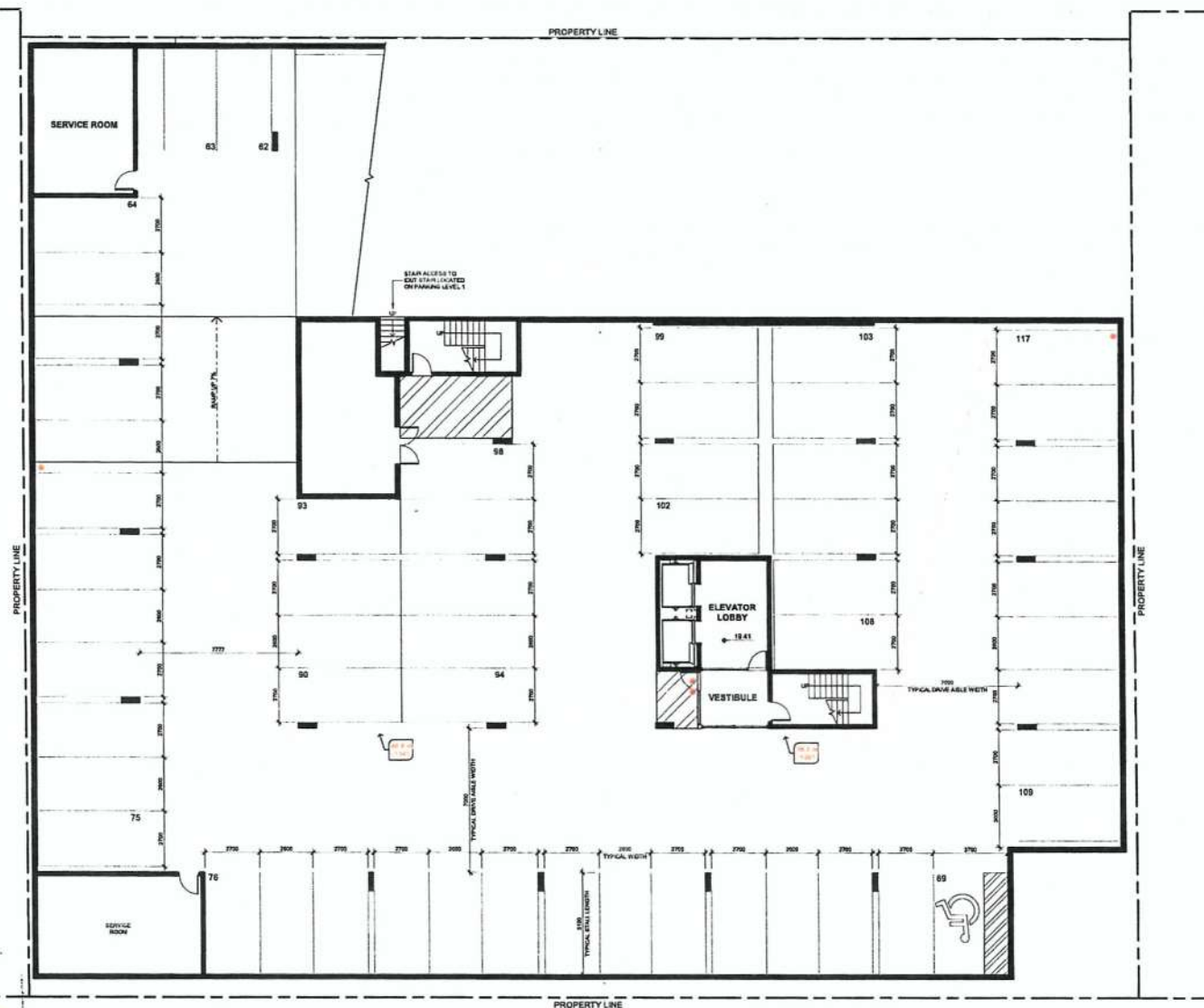
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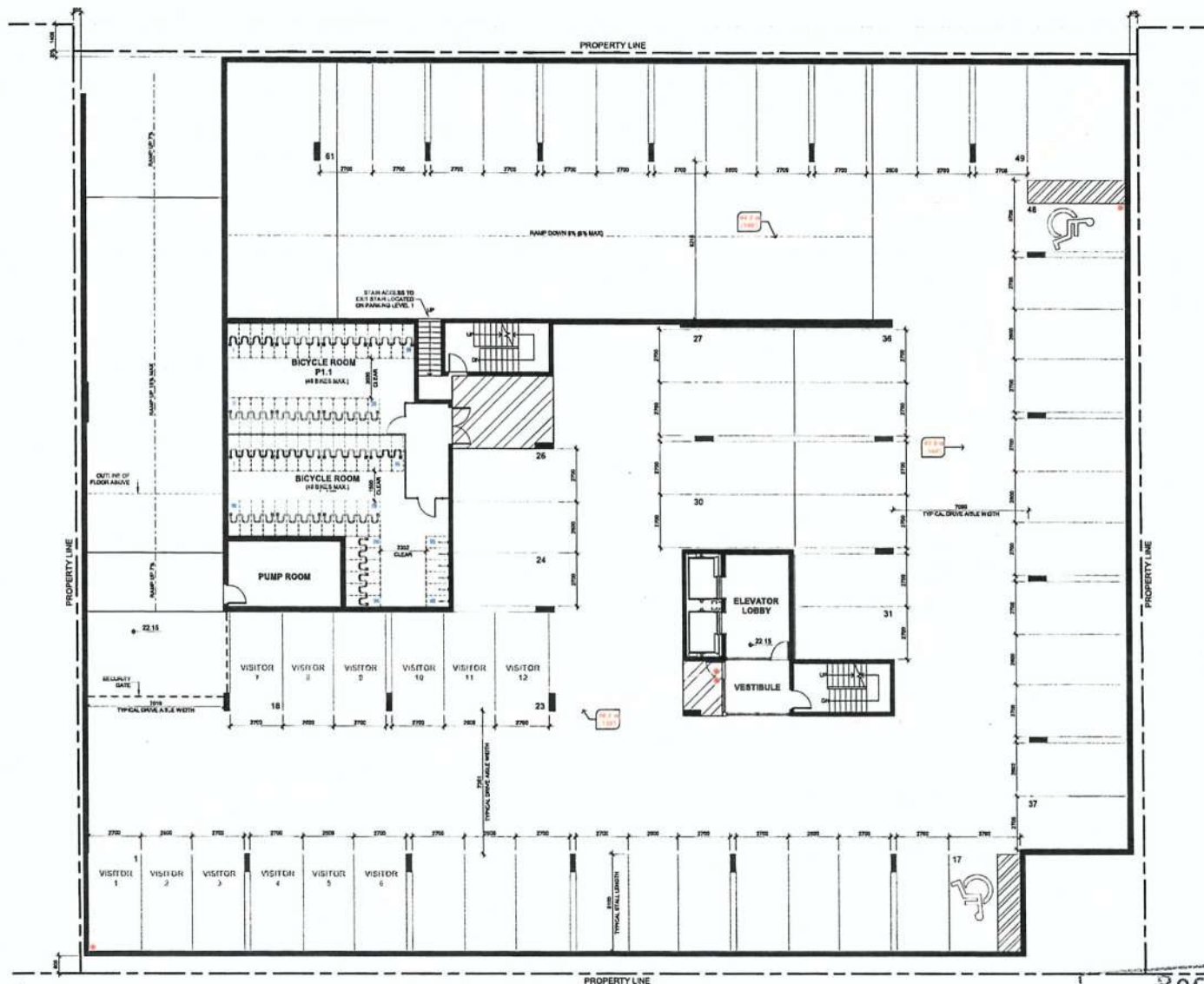
See also the attached  
Development Permit  
Application for the  
proposed development



NORTH



Received  
City of Victoria  
*Depend: June 27, 2018*  
OCT 29 2018  
Planning & Development Department  
Development Services Division



Received  
City of Victoria  
Deemed: June 27, 2018  
NOV 01 2018 NORTH  
Planning & Development Department  
Development Services Division





EXTENT OF BALCONY THAT  
EXISTS INTO REAR YARD  
SHOWN IN RED LINE & DASH

EXTENT OF BALCONY THAT  
EXISTS INTO REAR YARD  
SHOWN IN RED LINE & DASH



**932 PANDORA AVENUE**  
**LEVEL 2 FLOOR PLAN**  
 DATE: JAN 2019  
 SCALE: 1/8" = 1'-0"  
 DRAWN BY: [illegible] FOR: [illegible]

**A8**

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 City of Victoria  
 JUN 27 2018  
 Planning & Development Department  
 Development Services Division



200-100-1000-1000  
 1-800-363-5555  
 1-250-951-9418

## LEVELS 3, 4, & 5 FLOOR PLANS



203-655 Type Pistol  
Victrola DC VRA 043  
# 1 250 383 548

JUN 27 2018

Planning & Development Department  
Development Services Division

59



EXTENT OF BUILDING THAT  
EXCEEDS THE HEIGHT OF THE  
ADJACENT BUILDING

EXTENT OF BUILDING THAT  
EXCEEDS THE HEIGHT OF THE  
ADJACENT BUILDING



**9332 PANDORA AVENUE**  
**LEVELS 6 & 7 FLOOR PLAN**  
**A10**

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233-055-1000  
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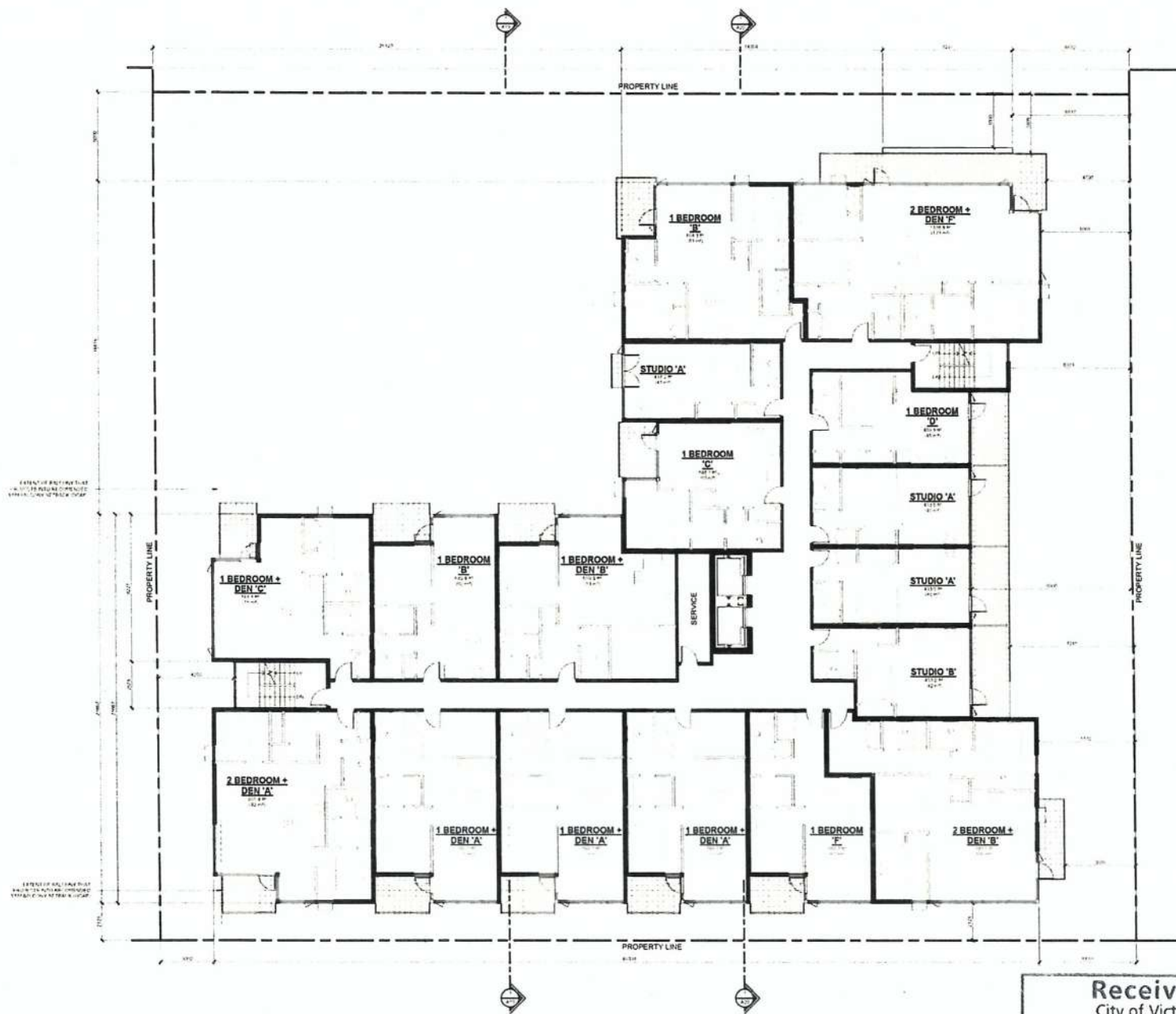


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 City of Victoria

JUN 27 2018

Planning & Development Department





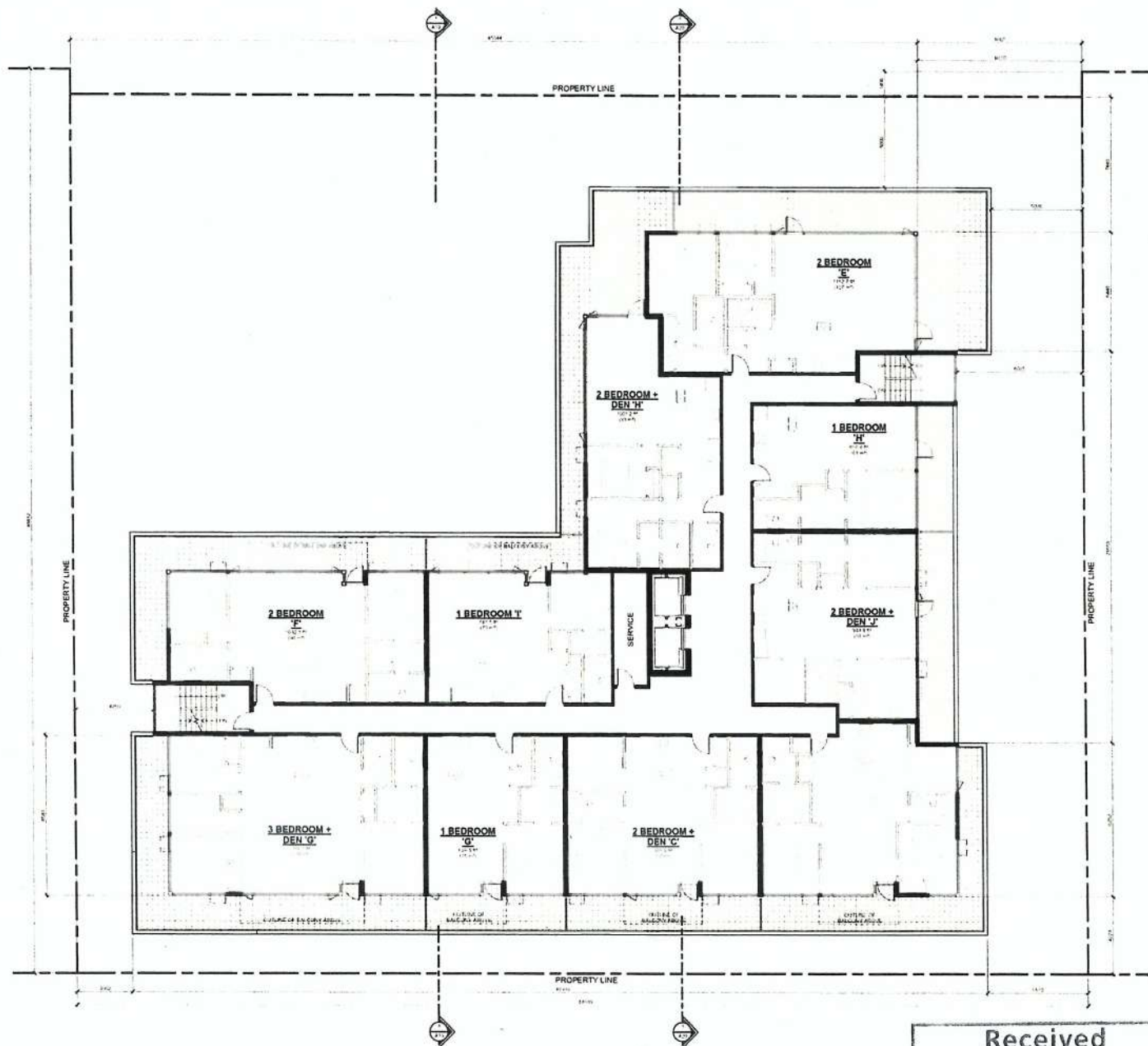
**932 PANDORA AVENUE**  
**LEVEL 8 FLOOR PLAN**  
**A11**

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 City of Victoria

JUN 27 2018

Planning & Development Department  
 Development Services Division

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9322 PANDORA AVENUE  
LEVEL 9 FLOOR PLAN  
A12



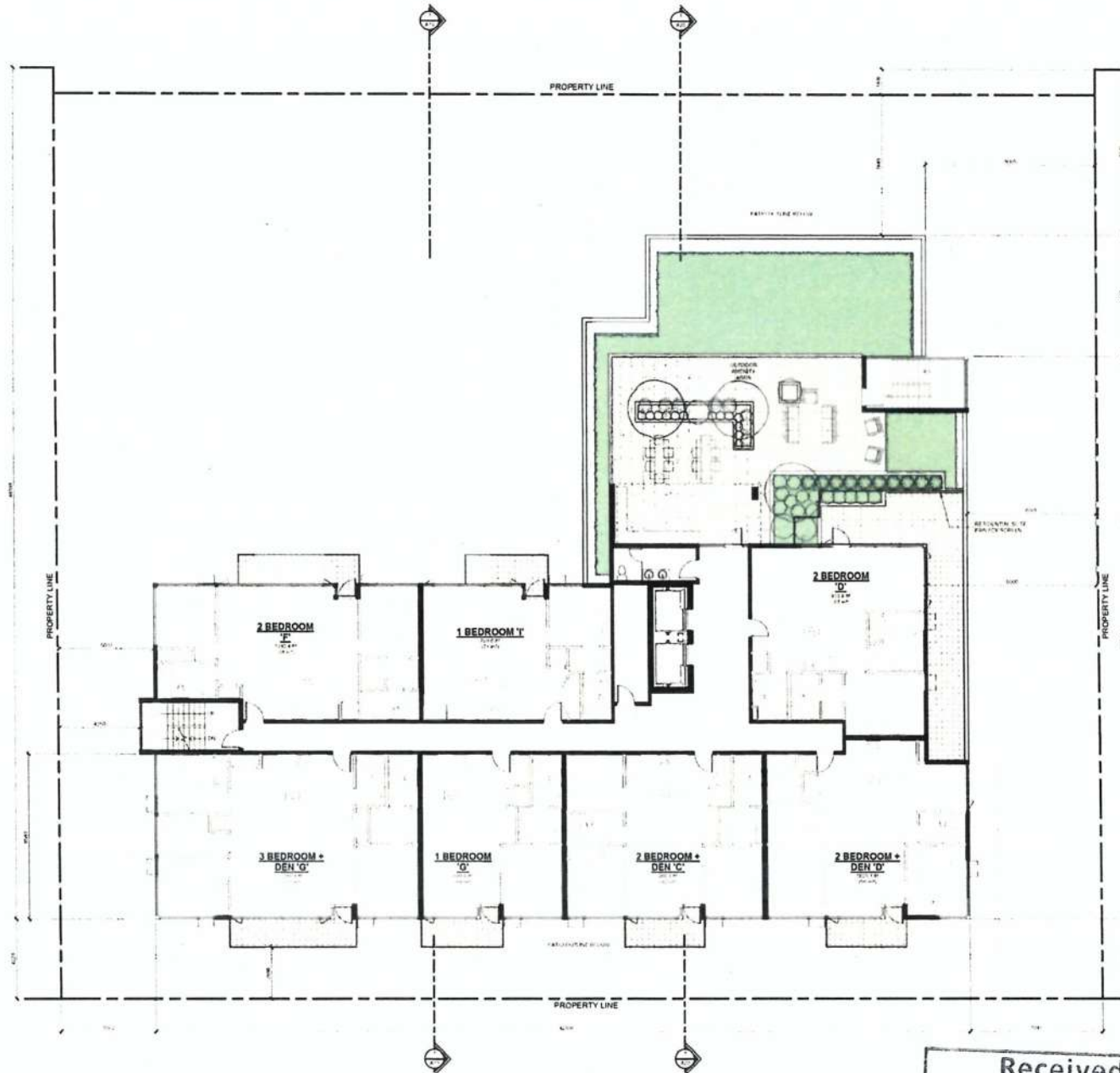
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City of Victoria

JUN 27 2018

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**932 PANDORA AVENUE**  
**LEVEL 10 FLOOR PLAN**  
**A13**



223-155-1500  
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JUN 27 2018

Planning & Development Services





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153

201-616-7968  
Vestron, INC. USA, Inc.  
1-1-200-200-1000

Planning &amp; Development Department

ELEVATION LEGEND

- |   |  |   |   |
|---|--|---|---|
| 1 CLEAR VISION GLASS                    | 4 EXTERIOR CEDAR CLADDING                            | 10 PRE-FINISHED PERFORATED METAL SCREENS    | 14 LIGHT COLOURED PRE-FINISHED METAL CLADDING |
| 2 OPAQUE GLASS SPANDREL                 | 5 EXTERIOR CEDAR VOPV                                | 11 PRE-FINISHED METAL PICKET SECURITY FENCE | 15 VERTICAL WOOD SCREEN                       |
| 3 OPAQUE GLASS SPANDREL                 | 6 EXPOSED CONCRETE W/ EPoxy COATING (CONCRETE COLOR) | 12 PRE-FINISHED METAL CAP FLASHING          | 16 GLASS PATIO GATE                           |
| 4 PRE-FINISHED COMPOSITE ALUMINUM PANEL | 7 BLUE LAMINATED WOOD CLADDING                       | 13 COLOURED VISION GLASS (TINTED)           | 17 FIBRE CEMENT PANEL                         |
| 5 BRICK MASONRY                         | 8 ALUMINUM & GLASS GUARDRAIL                         | 14 TRANSLUCENT GLASS BALCONY DOORWAYS       | 18 GLASS CANOPY                               |



Received  
City of Victoria

JUN 27 2018

Planning & Development Department  
Development Services Division



ELEVATION LEGEND

- |  |   |   |   |
|--|---|---|---|
| 1 CLEAR VISION GLASS                   | 4 EXTERIOR CEDAR CLADDING                             | 13 PREFINISHED PERFORATED METAL SCREENS     | 21 LIGHT COLOURED PRE-FINISHED METAL CLADDING |
| 2 OPAQUE GLASS SPANDREL                | 5 EXTERIOR CEDAR ROOF                                 | 14 PRE-FINISHED METAL PICKET SECURITY FENCE | 22 VERTICAL WOOD SCREEN                       |
| 3 OPAQUE GLASS SPANDREL                | 6 EXTERIOR CONCRETE W/ BRICK COATING (CONCRETE COLOR) | 15 PRE-FINISHED METAL CAP FLASHING          | 23 GLASS PATIO GATE                           |
| 4 PREFINISHED COMPOSITE ALUMINUM PANEL | 7 BLUE LAMINATED WOOD CLADDING                        | 16 COLOURED VISION GLASS (TINTED)           | 24 WHITE CEMENT PANEL                         |
| 5 BRICK MASONRY                        | 8 ALUMINUM & GLASS GLAZIAL                            | 17 TRANSLUCENT GLASS BALCONY DIVIDERS       | 25 GLASS CANOPY                               |



1 WEST BUILDING ELEVATION  
A16 SCALE 1/100

Received  
City of Victoria

JUN 27 2018

Planning & Development Department



ELEVATION LEGEND

- |  |   |  |  |
|--|---|--|--|
| 1 CLEAR VISION GLASS                     | 2 EXTERIOR CEDAR CLADDING                         | 3 PRE-FINISHED PERFORATED METAL SCREENS    | 4 LIGHT COLOURED PRE-FINISHED METAL CLADDING |
| 5 OPAQUE GLASS SPANDREL                  | 6 EXTERIOR CEDAR SHIPIT                           | 7 PRE-FINISHED METAL POCKET SECURITY FENCE | 8 VERTICAL WOOD SCREEN                       |
| 9 OPAQUE GLASS SPANDREL                  | 10 ADDED CONCRETE W/ EPOXY COATED CONCRETE COLUMN | 11 PRE-FINISHED METAL CLADDING             | 12 GLASS PATIO GATE                          |
| 13 PRE-FINISHED COMPOSITE ALUMINUM PANEL | 14 BLUE LAMINATED WOOD CLADDING                   | 15 COLOURED VISION GLASS                   | 16 FIBRE CEMENT PANEL                        |
| 17 BRICK HANDRAIL                        | 18 ALUMINUM & GLASS GUARDRAIL                     | 19 TRANSLUCENT GLASS BALCONY DIVIDERS      | 20 GLASS CANOPY                              |



1 NORTH BUILDING ELEVATION

A17 SCALE 1/100

Received  
City of Victoria

JUN 27 2018

Planning & Development Department  
Development Services Division



1 EAST BUILDING ELEVATION  
A18 SCALE 1:100

#### ELEVATION LEGEND

- |   |   |   |   |
|---|---|---|---|
| 1 CLEAR VISION GLASS                    | 11 EXTERIOR CEDAR CLADDING                          | 21 PRE-FINISHED PERFORATED METAL SCREENS    | 31 LIGHT COLOURED PRE-FINISHED METAL CLADDING |
| 2 OPAQUE GLASS SPANDREL (1.2.2.4)       | 12 EXTERIOR CEDAR SHYITE                            | 22 PRE-FINISHED METAL PICKET SECURITY FENCE | 32 VERTICAL WOOD SCREEN                       |
| 3 OPAQUE GLASS SPANDREL (1.2.2.2)       | 13 EXPOSED CONCRETE w/ EPOXY COATED CONCRETE COLOUR | 23 PRE-FINISHED METAL LAP PLASING           | 33 GLASS PATIO GATE                           |
| 4 PRE-FINISHED COMPOSITE ALUMINUM PANEL | 14 BLUE LAMINATED WOOD COLUMNS                      | 24 COLOURED VISION GLASS (3 CAMPS)          | 34 FIBRE CEMENT PANEL                         |
| 5 BRICK MASONRY                         | 15 ALUMINUM & GLASS GLAZING                         | 25 TRANSLUCENT GLASS BLUDDY DIVIDERS        | 35 GLASS CANOPY                               |

932 PANDORA AVENUE

EAST ELEVATION

A18

DATE: JAN 2018  
SCALE: As Shown  
NOTE: AS SHOWN FOR REFERENCE ONLY

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City of Victoria

JUN 27 2018

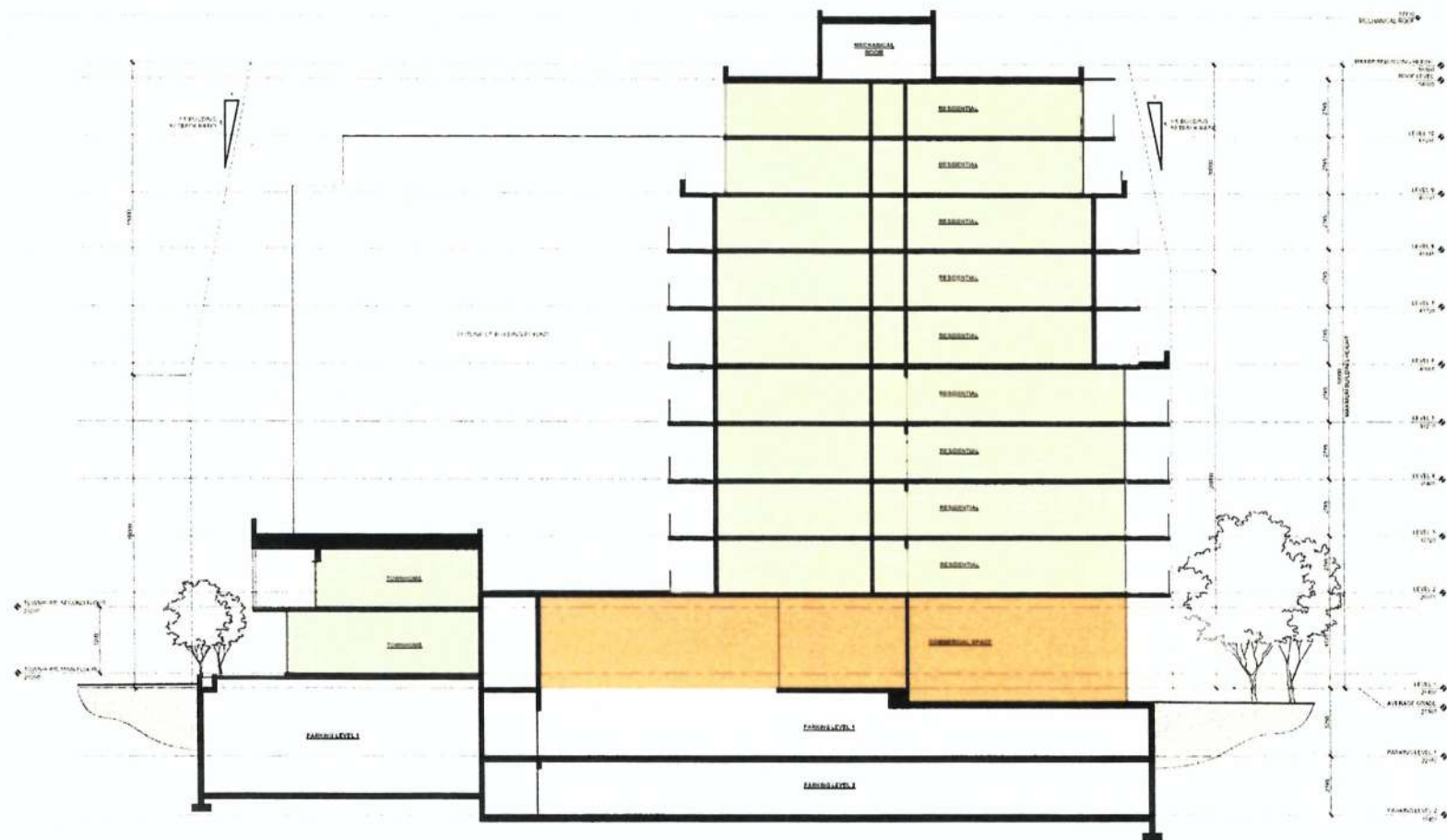
Planning & Development Department  
Development Services Division



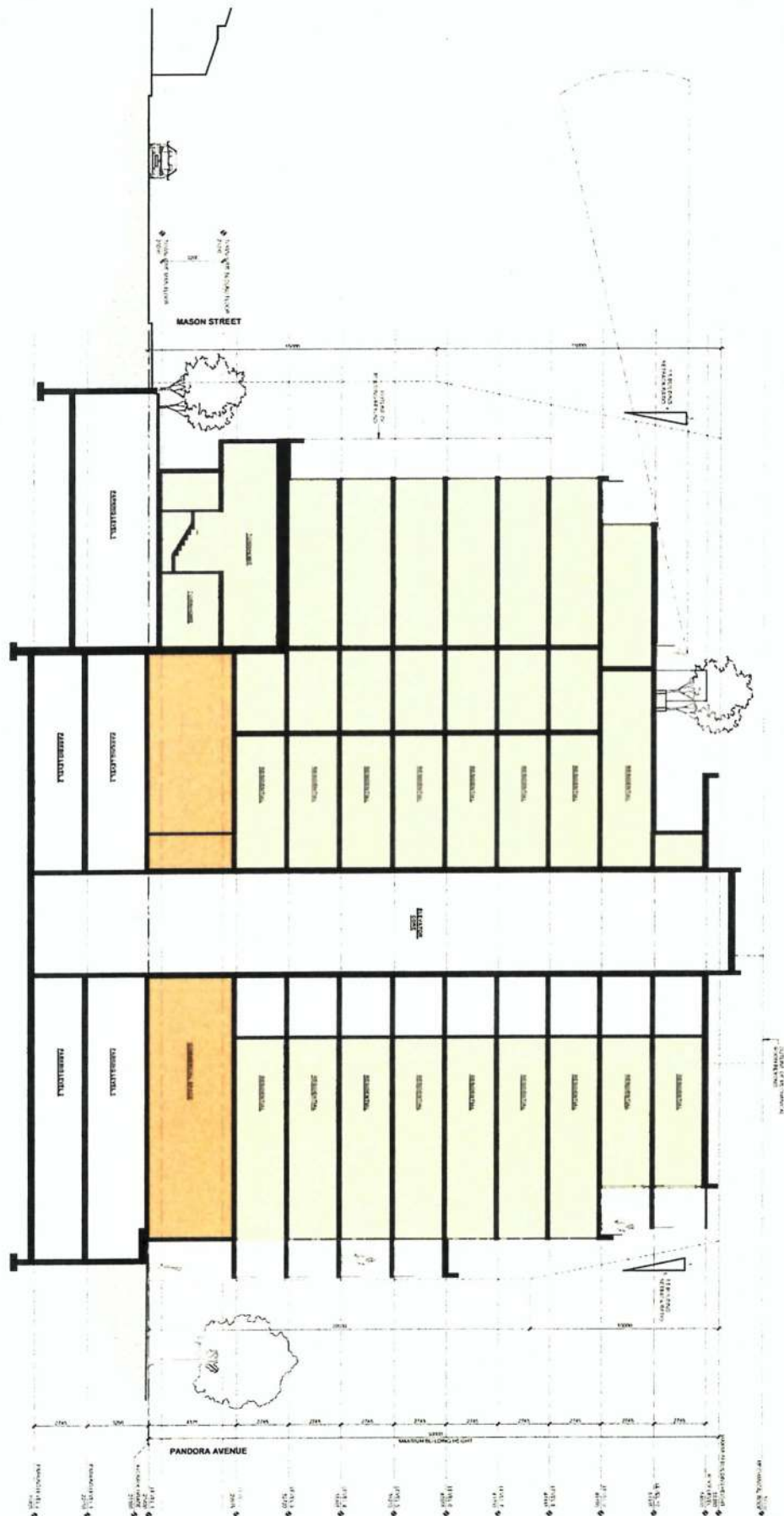
HR

201 555 5555  
1 800 222 5555  
1 778 991 4148









932 PANDORA AVENUE

BUILDING SECTION

DATE: JUN 2018  
SCALE: 1/8" = 1'-0"  
NOTE: FOR DEVELOPMENT PERMIT

A20

Received  
City of Victoria

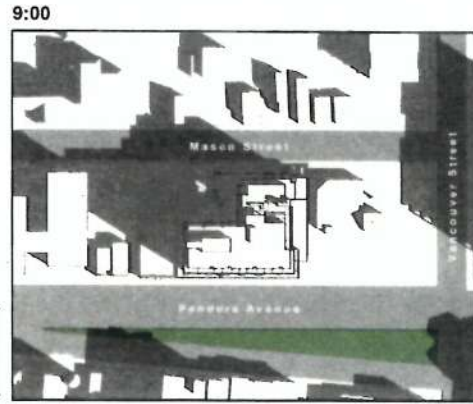
JUN 27 2018

Planning & Development Dept.  
Development Services Division

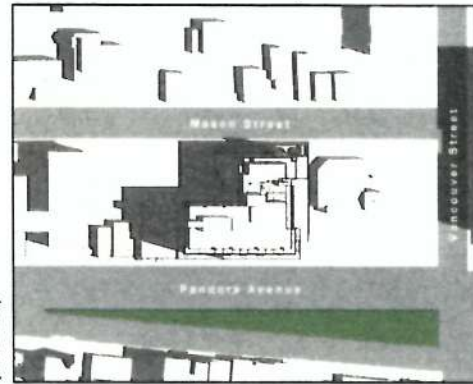
CDR  
253 - 655 Tyme Road  
Victoria BC V8M 0G3  
T 1 250 283 5108  
F 1 250 283 3416

CEI

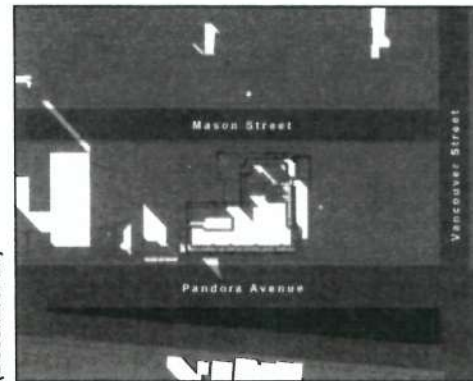
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(March 20)



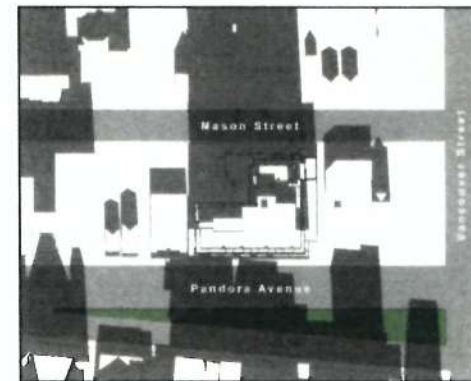
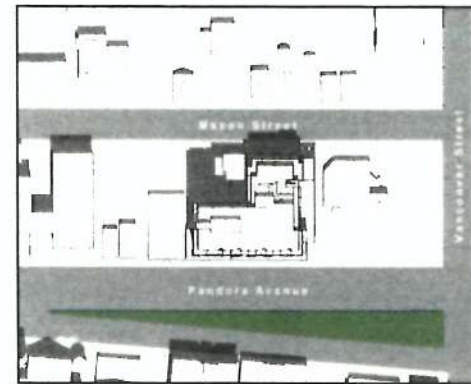
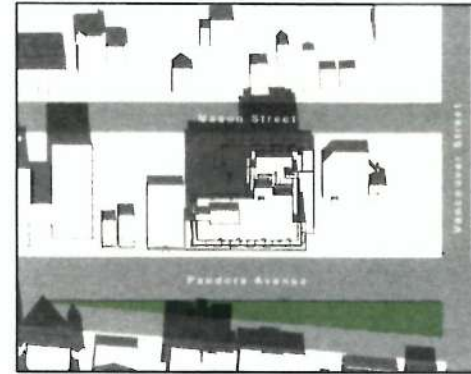
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(June 20)



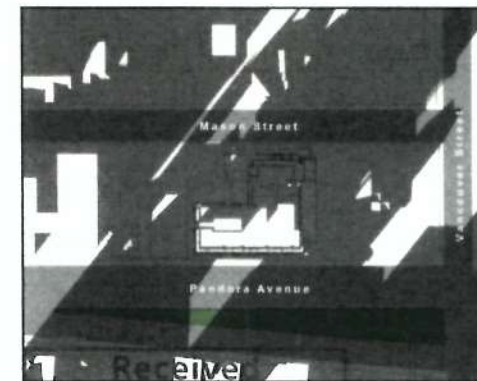
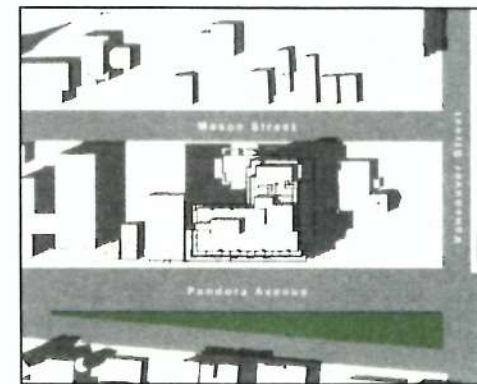
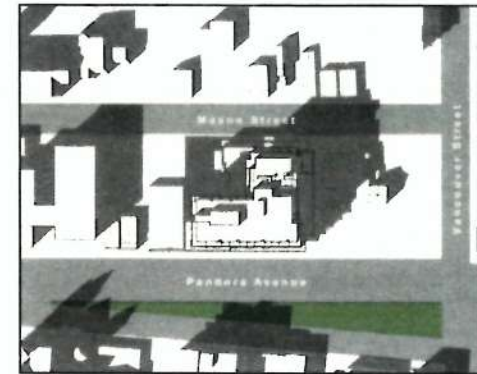
**WINTER SOLTICE**  
(December 21)



**12:00**



**15:00**



**JUN 27 2018**





Quedra Street  
**CONTEXT ELEVATION ALONG PANDORA AVENUE**  
 Vancouver Street



Vancouver Street  
**CONTEXT ELEVATION ALONG MASON STREET**  
 Quedra Street



**RESIDENTIAL SECURITY GATE ON MASON STREET**



**RESIDENTIAL ENTRANCE GATE ON PANDORA AVE STREET**





View Looking at Residential Entrance on Pandora Avenue



View Looking West on Pandora Avenue



View Looking West on Mason Street



223-461-7700  
 1-800-387-3333  
 1-779-951-1844

Received  
 City of Victoria

JUN 27 2023

Planning & Development Department  
 Development Services Division





View Looking at Residential Entrance on Mason Street



View Looking Into Courtyard

**A24**  
DATE: JUNE 2018  
SCALE: 1/8" = 1'-0"  
PROJECT: 9332 PANDORA AVENUE DEVELOPMENT PROJECT  
**9332 PANDORA AVENUE**  
**PERSPECTIVE RENDERINGS**



235 455 Ave Road  
Victoria, BC V8M 1Y1  
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**JUN 27 2018**

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View Looking West on Pandora Avenue



View Looking East on Pandora Avenue



View Looking West on Mason Street



View Looking East on Mason Street

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**NORTH ELEVATION**



**WEST ELEVATION**



**SOUTH ELEVATION**



The site for the proposed multi-family residential project falls within the OPA-3 Heritage Conservation district. The design guidelines for this district encourage the use of building materials that will conserve and enhance the heritage value of the significant historic buildings within the district, most notably the masonry and brick churches along Quadra St.

To meet the intent of the design guidelines, brick cladding is proposed as the primary cladding material for the base of the building. Cement panel cladding will also be incorporated as an accent material in areas of the upper floors. Colored glazing alluding to the stained glass window of the church will enclose the end of the west stairwell for the full height of the building. Staggered masonry patterns around the building recall the offset masonry joints of the stone churches and tall narrow windows commonly located within a church spire have been incorporated as accent windows on the north facade of the building. These design elements, in combination, respectfully acknowledge and reinforce the unique architectural character of this district.



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JUN 27 2018  
Planning & Development Department  
Development Services Division











25 June 2018

Leanne Taylor  
Senior Planner  
City of Victoria  
1 Centennial Square  
Victoria BC



Email: [ltaylor@victoria.ca](mailto:ltaylor@victoria.ca)

**RE: 932 Pandora Street – Revisions to DP Application Drawings**

Dear Leanne,

Further to our meeting on June 19<sup>th</sup>, we are resubmitting the Drawings for 932 Pandora and have incorporated the revisions based on our discussions. The revisions reflect the comments received from the Advisory Design Panel as well as the City of Victoria Planning Department. The following is an itemized list of the revisions;

1. *Refine both Pandora Street and Mason Street Streetscapes and Entranceways;*

- Revised Planter at Mason Street entrance.
- Increased canopy size at Mason Street entrance.
- Addition of bench seating at Mason Street entrance.
- Provided accent paving at solid wall pilaster locations along Pandora Avenue. Also provide an 18" concrete base.
- Provision of a skylight at Pandora Avenue residential entrance to allow for natural light at lobby entry.

2. *Introduction of non-reflective materials in lieu of spandrel panels;*

- Large areas of spandrel panels has been revised to cementitious cladding as per bubbled locations on elevations.

hdrcei.com

HDR | CEI Architecture Associates, Inc.  
500 – 1500 West Georgia Street, Vancouver, BC, CA V6G 2Z6  
(604) 687-1898

Douglas S. Wignall, Architect AIA, AIBC, AAA, MRAIC



3. *Revisions to 9<sup>th</sup> floor continuous balcony.*

- The balcony on the 9<sup>th</sup> floor has been modified to be a combination of cementitious cladding on parapet wall, full-height glazing, and a combination of glazing and solid parapet. Refer to bubbled location noted on elevations.

4. *Additional ADP Considerations;*

- Revised rooms with no windows in Townhome level 2 to be noted as "DEN".
- Garbage/Recycling Room and route was been reviewed by Engineering and approved in its current configuration.
- Improve separation between level 9 unit and common rooftop terrace.
- Provision of a washroom for outdoor patio (*universal W.C. + 2 sinks*)
- Addition of a planter on the South-West level 2 roof.
- Addition of glass canopies for level 10 balconies

5. *Additional Planning Department Considerations:*

- Revised WEST balconies to comply with balcony minimum clearance to side property line of 3.5m (as per *Residential Building Separation Guidelines in the City of Victoria Downtown Core Area Plan*).

We trust these noted revisions reflect the discussions to date and will allow the Planning Department to complete their planning review and processing. We would be pleased to meet with you if you'd like to further discuss any of the above items.

Respectfully,

HDR|CEI Architecture Associates Ltd



Jim Aalders Architect AIBC, MRAIC, LEED AP

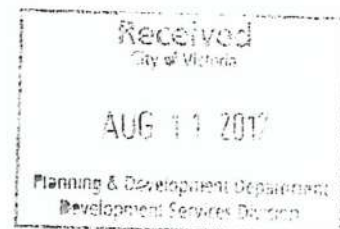


# KANG & GILL

## CONSTRUCTION LTD.

August 8, 2017

City of Victoria  
1 Centennial Square  
Victoria, British Columbia  
V8W 1P6



Dear Mayor Helps and the City of Victoria Council:

Re: 926, 928, 930, and 932 Pandora Avenue

Please accept this letter as part of our Rezoning and Development Permit Application for 926, 928, 930, and 932 Pandora Avenue, a proposed mixed-use condominium.

We are excited about the opportunity to continue to contribute to the growth of Victoria's Downtown Core, and are pleased to present this development on the 900 block of Pandora Avenue. As with every development site, we see both opportunities and challenges on this site, and are proudly offering a unique development which will enhance Victoria's Downtown Core.

The proposed development at 932 Pandora is for a 10 story building which will include 9 floors of Residential market housing over a prominent Main floor of Commercial / Retail fronting onto Pandora Avenue and 2 levels of underground parking. A wide range of Residential suites will be provided ranging from Studios to 3 bedrooms and Den as well as five 2-storey Townhomes with private entrances along Mason St. The total count will be 150 living units.

This neighborhood is going through considerable transition and we see opportunities to continue to evolve the North Park and Harris Green neighborhoods. In developing a proposal for this site we have considered many aspects of the community and context including existing socio-economic constraints, pedestrian patterns as well as policies and initiatives by the City of Victoria. The current zoning of the property is CA-1 which allows for both residential and commercial use with a maximum FSR of 2.0 and a maximum height of 15.5 meters (5 stories). The property is located within the DPA -3 (HC) district identified in the Official Community Plan (OCP) and the Residential Mixed -use district identified in the Downtown Core Area Plan (DCAP). Through Rezoning the DCAP "density framework" allows for a maximum FSR of 5.5 and a maximum Height of 30 meters (10 stories). Main floor Commercial / Retail use will be provided along Pandora Avenue which will meet the planning objective for active street level businesses on this street. The primary Residential entrance will be from Mason Street, through a private landscaped courtyard leading to the Main Lobby of the building. A secondary Residential entrance will be provided through a breezeway from Pandora Avenue. Vehicular access into the parkade will be from Mason Street as required by the Engineering Department. The primary bike storage room is currently proposed on the Main floor with access to both Pandora Avenue and Mason Street.

### Massing and Composition

Much of the East side of the 900 block of Pandora Avenue is currently underdeveloped. The subject property is a mid-block site with a McDonald's restaurant to the East and one and two story buildings to the West. The layout and massing





# KANG & GILL

## CONSTRUCTION LTD.

of the proposed building responds to the DCAP Design Guidelines. As well, we've considered potential future massing on the properties to the East and West to maximize separation from future neighboring buildings for privacy, access to natural light and views.

The building setbacks meet or exceed the guidelines set out in the DCAP. The buildings massing is arranged to comply with the "wide street" setback requirements on Pandora Avenue and the "narrow street" setback requirements on Mason St. as well as the "street wall" massing guidelines of the DCAP. The resulting stepped profile of the building at the 6th and 9th floors on the Pandora side of the building will provide alignment and continuity with the lower existing and proposed buildings on both sides of this street. Continuous balconies from levels 2 -5 in the South East corner will create the Primary St. wall and will align with the existing building at the West end of the block and a new building to the East currently under construction on the former St Andrews site. The building setback at the 9th floor will minimize the visual impact of the upper 2 floors. The 'Secondary Street Wall' component will be comprised of Levels 2 thru 8 beyond the 'Primary Street Wall'. The massing of the 2-level Townhomes on Mason Street will provide a strong 2-storey expression along Mason Street and a transition to the existing houses on the opposite side of the Street. The Townhomes will be set back from the property line to allow for individual patios with landscape features associated with each Townhouse which will effectively widen the street and enhance the pedestrian experience along the development.

The building's exterior cladding material will be a glazing system primarily which will include 2 colors of spandrel glass. The DPA -3 (HC) district design guidelines encourages the use of building materials that will conserve and enhance the heritage value of the significant historic buildings within this district, which are most notably the churches along Quadra Street. Masonry cladding is proposed for portions of the main floor in response to the stone and masonry structure of the historic churches. The building's west stairwell will feature colored glazing reminiscent of stained glass. The third cladding materials will be metal cladding. Color selections for these materials will complement the surrounding historic buildings.

### **Entry Courtyard and Roof Garden**

The Residential entry lobby will be accessed from a landscaped courtyard which features a timber and glass entry canopy. The proposed development provides an amenity room for the residents which will be situated off of the courtyard and incorporates an operable glass wall which allows activities to extend outdoors under the cover of the building above for weather protection. The courtyard provides bench seating for casual use by the residents. A common roof top patio will be provided on the 10th floor of the building and will include an outdoor kitchen and dining area as well as bench seating. The shared courtyard and roof garden will promote social interaction among the residents of the building, a key element to developing 'happy' and livable cities. Both the courtyard and roof garden be well lit for safe evening use.'

### **Commercial Space**

Main floor Commercial / Retail use will be provided along Pandora Avenue to meet the planning objective for active street level businesses on this street. The commercial space will be setback from the property line to extend the width of the walkway on the front of the building and allow retail activity to extend outdoors. The building above will extend over the outdoor area for weather protection. The soffit of the overhang will be clad in warm stained wood with recessed lighting. Blade signage will be suspended from the soffit for the individual tenants. Benches will also be incorporated within the setback and the grass boulevard in support of Commercial / Retail tenants.





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### Vehicle and Bike parking

The proposed development will provide the required Vehicular and Bike parking stalls as set out in Schedule C of the Zoning Bylaw. Vehicular parking has been calculated based on the current CA-1 zoning. 90 vehicular parking stalls are required and 118 stalls will be provided. One Class-1 bike parking stall will be provided for each unit for a total of 150 bike stalls. Bike parking will be provided in 2 enclosed rooms, one on the main floor and the other on the first level of underground parking. The Main floor bike room can be accessed from both Pandora Avenue and Mason Street. The Required Class 2 bike parking stalls will be provided at each of the 2 entrances, 12 in total.

### Streetscape

The proposal includes Landscape enhancements along both Pandora Avenue and Mason St. including the new boulevards that have been integrated with the new bike lanes on Pandora Ave. Much consideration was given to the location of the garbage room and the collection of waste and recycling to minimize the impact on the existing residents of Mason Street. After consultation with the Area Planner, the Engineering department as well as a waste-service provider it was agreed that garbage collection would be from Pandora Avenue. The existing (relocated) commercial loading zone will also be used for loading Garbage and Recycling.

### CPTED

The proposed development will provide 'eyes on the street' on both Pandora Avenue and Mason Street, which is a key factor in reducing crime. Both residential entrances will incorporate a security gate and will be well lit and visible from residential units as well as the main floor Commercial space along Pandora Avenue. Visitor bike parking stalls will be situated on the secure side of the Entry gateways.

### Community Dialogue

A formal CALUC meeting was held on June 07. The response was generally very supportive of a new development. Some concerns were raised regarding the scale of the project and the effects of shadowing onto existing houses, although we had not yet completed the shadow study at that time. Representatives from the Victoria Conservatory of Music were appreciative that the developer was investing considerably in improvement of the neighborhood and they were supportive of the proposal.

### Summary

The proposed design of this proposed development reflects the considerable dialogue with the neighbors and city staff to date. We believe the design closely aligns with the Downtown Core Area Plan and is a positive step for the future of the Harris Green and North Park neighborhoods.

Kang and Gill Construction Ltd. takes great pride in the planning and design of all our developments and we thank you your time and consideration with regards to this matter.

Sincerely,

Carly Abrahams, Development Manager



KANG & GILL  
CONSTRUCTION LTD.

November 1, 2018

RE: 926 & 932 Pandora Ave

Mayor and Council

City Of Victoria – Planning Dept

City of Victoria  
1 Centennial Square,  
Victoria BC V8W 1P6

Dear honorable mayor and council,

Kang and Gill Construction is committed to helping in the current city needs for more affordable housing options. As a result, we are prepared to offer 10% of our proposed units as affordable rental units at 926 and 932 Pandora Ave. These 15 rental units will be a mix of unit types, from studio to 3 bedroom and will be rented at 15% below appraised market rents. We understand there is a great need for family units, so we will also ensure that a minimum of 5 – 2 bedroom units & 2 – 3 bedroom units will be part of the rental mix. The market rental values will be provided by an independent local appraiser at the time of completion. **This contribution is over and above the declared land lift amount.** We hope you will find this contribution favorable, and we look forward to working with the City on mutually agreeable housing agreement.

Please let me know if you have any further questions or concerns.

Sincerely,

Bikramjit Kang

President - Kang and Gill Construction Ltd.



## **NORTH PARK NEIGHBOURHOOD ASSOCIATION**

### **Minutes of Community Association Land Use Committee (CALUC) Meeting** **June 7, 2017**

**Present:**

Board members: Pam Hartling, Christopher Fleming, Penny Bond,

Members: Michael Rowe, Lori Nielson, Anne Moon, Stacey Ness, Anthony Colyn, Julie Poskitt, Gillian Hurwood (Girl Guide House), Jim Harlick (represented by proxy Steve Blumberg)

Guests: Curtis Knichel, Tommy Ngo, Jim Aalders (HDR CEI Architecture); Carly Abrahams, Biki Kang (Kang & Gill Construction); Rajinder Sahota (Method Built Homes); Kevin DeCoste, Lucy Poskitt, Michele Blumberg, Steve Blumberg, Helene Beaudvin, Holly Rockery, Nona Dyck

**Call to Order:** Christopher Fleming, NPNA CALUC Co-chair, called the meeting to order at 7:00 p.m.

**Process:**

This meeting will present two land use proposals, with one hour allotted to each. The developer will present the proposal, then the floor will be open for questions and discussion. The NPNA secretary will record the minutes of the meeting. After the conclusion of the meeting, NPNA's Land Use Committee will write a separate letter to the City for each proposal reporting on decisions and recommendations from the meeting; the minutes will accompany this letter. The NPNA letters and minutes will be sent to all NPNA members and to those who were guests at the meeting.

Based on the conclusions from the meeting, the developer would send modified plans to the City.

Individuals who have particular opinions about the development proposal may send their own letters to the City.

**A. Proposal:**

**926 - 932 Pandora Ave. — Kang & Gill Construction;  
HDR CEI Architecture Associates**

**1. Presentation**

- The Pandora Ave. side of the proposal is for the maximum height permitted by the Official Community Plan (OCP):
  - 30 m. on Pandora Ave. (10 storeys); 20 m. on Mason St. (six storeys)
- Current zoning is CA-1 (up to 15.5 m. or 5 storeys); OCP supports up to 10 storeys. This development, as planned, would create a site specific zone.
- There are 147 units: studio; several versions of 1-bedroom; 2-bedroom; and 3-bedroom to level 8.
- Level 9 has a common rooftop garden.

- Levels 9 and 10 have the larger suites.
- Floor to space ratio (FSR) is 4.78
- There will be maintenance of good light and view for everybody.
- Plan includes better street right of way on Mason St.
- Five townhouses on Mason St. respond to same landscape as existing houses on the north side of the street. Townhouses are two storeys with patio and second floor balcony.
- Building mass is broken up into three components of differing configuration.
- There is a strict set of rules. The developer is working with City Planning.
- Building is L-shaped with a courtyard on Mason St., heights stepping back from six to 10 storeys from Mason towards Pandora.
  - Main entrance on Mason St. has landscaping, courtyard.
    - Secondary access to entry lobby by exterior walkway from Pandora Ave.
  - Common amenity room for all tenants adjacent to entry lobby.
- Bylaw dictates that traffic access and egress must be on the less busy street, which is Mason St.
- Underground parking is on two levels with 81 residential stalls; seven commercial.
- First floor is commercial space.
- Coloured glass on outer aspect of west side stairwell echoes stained glass in the many churches in the area.
- There will be a direct access point to the Pandora bike lane.

## 2. Q&A

Q: Is the building all strata?

A: Yes.

Q: Does it include low cost accommodation?

A: Not at this point.

Q: Shadowing of Mason St. is a concern. How much shadow will fall on the north side of the street?

A: A shadow study was done and will be made available.

Q: The building is “monstrously tall”. It will negatively affect quality of life of the houses on Mason St. Shadow, noise, night-time deliveries are great concerns.

A: Commercial loading zone, including garbage collection, is in place on Pandora. The plan is to maintain a quiet, pleasant atmosphere.

Q: Traffic flow is a major concern in the vicinity of St. John’s Church. There is a fear of being clogged with cars. Additionally, access off Mason St. removes the “eyes on



the street” on the Pandora side, which is a sociological concern. People who live in the building should have a connection to Pandora Ave.

A: Commercial activity all day, and the height of the units will provide eyes on the street. People who live or do business in the building are more likely to travel southward towards Pandora and downtown, rather than away from Pandora.

Q: Drug activity nearby is a concern.

A: The building is solidly commercial on ground level, which should prevent activity from sprawling across Pandora. Our Place is good about engaging and working with the developers.

Q: What impact will the building have on the neighbourhood during construction, in terms of noise, dust, etc? This already is a problem with current construction in the next block.

A: The developers are doing their best to control this aspect of construction. They will try to keep the bulk of the work towards Pandora, not Mason. Due to many factors, it is hard to know when construction will start. The proposal requires full re-zoning, requiring public hearing, so it may take some time for approval of the project.

Q: Does it have to be built to the maximum height?

A: Zoning is in place but looking at the OCP, development is supported for up to 10 storeys. Looking at the long-term vision, there likely will be further development with maximum allowable height all along this block of Pandora. The developer is trying to be sensitive to Mason St. by stepping the height. They will do shadow studies of both the current and proposed heights.

Comment: Victoria Conservatory of Music (VCM) is appreciative of developers looking to improve the neighbourhood. VCM is supportive of these plans.

Q: What materials will be used?

A: Glass, brick on lower floors, south-facing metal screens, wood soffit (overhang). There is an effort to complement the VCM stone.

Q: What will be the impact on the street itself on the Mason St. side?

A: No changes at the stop signs. The street will be widened. There is no talk of changing the parking limits.

## **B. Proposal**

### **953 Balmoral Rd. — Method Built Homes**

This proposal originally was presented to NPNA on July 28, 2016.

#### **1. Original Proposal:**

- The property at 953 Balmoral currently is a 7,200 sq.ft empty lot.
- Zoning is R2 (duplex). The developer is seeking zoning change to R3 (multiple dwelling).
- The proposal is for a purpose-built rental building with six storeys.
  - The building itself takes up one-third of the site.
  - There are 17 units — six one-bedroom, 10 two-bedroom, one three-bedroom.
  - There are five vehicle parking stalls.
  - Each residential unit has storage for two bicycles.
  - There is one parking stall for a Modo car share vehicle, located at the front of the building. Each residential unit would have, in perpetuity, a Modo membership acquired by the developer.
- Affordability is directly relational to amenities.
  - This building offers Modo car share, bike stalls, proximity to downtown, green roof.

## 2. Possible Revision:

Since originally proposal last year, which was not supported due to height and limited number of parking stalls, the market has changed and it is more feasible now to revise to a four storey plan.

## 3. Q & A:

Q: What is the building's relationship to Pacifica Housing?

A: The developer is on the board of Pacifica Housing. Pacifica interest in another Method Built project on North Park St. fell through.

Q: What is the size of the one-bedroom suites?

A: 500 - 600 sq.ft.

Q: Is this the same as last year's proposal?

A: Yes, but market rents change all the time and a subsequent change has made reducing height to four storeys more feasible.

Q: If the height is reduced to four storeys will the building cover more land?

A: No, the number of units would be reduced with no change in the footprint.

Q: There is a lack of space between the back of the building, where the parking is situated, and the neighbouring house on Mason St. This causes a privacy issue. Could there be a green wall to visually separate the two properties?

A: As information, the similar North Park St. building has been rented since January 2017 and not many tenants need or use the parking. However, the city insists on a certain number of stalls.



The OCP guidelines mean that there will be density. The plan has tried to maintain as much set-back as possible. The units are stepped back from the decks and would not permit vision into neighbours' homes. The decks themselves are small and more for air circulation than occupation.

Q: Can LEED standards be looked at as a possibility?

A: What LEED offered as progressive in 2012 has been incorporated into the building code. About two-thirds of LEED standards now are in the building code. Further such progress is happening.

Comment: A neighbour who opposed the original proposal would be happy with the four storey option.

**Adjournment:**

The meeting adjourned at 8:17 p.m.

Recorder: Penny Bond, NPNA Secretary

### 3.3 Development Permit Application No. 000508 for 926 - 932 Pandora Avenue

The City is considering a Rezoning and Development Permit Application to allow a ten-storey, mixed-use building with ground floor commercial and residential above.

Applicant meeting attendees:

CURTIS KNICHEL	HDR / CEI ARCHITECTURE ASSOCIATES, INC.
MEGAN WALKER	LADR LANDSCAPE ARCHITECTS
CARLY ABRAHAM	KANG AND GILL CONSTRUCTION LTD.

Ms. Taylor provided the Panel with a brief introduction of the Application and the areas that Council is seeking advice on, including the following:

- overall massing and building bulk
- ninth and tenth storey balconies and clearance to side property lines
- application of building materials.

Ms. Abraham provided the Panel with a detailed presentation of the site and context of the proposal and Meghan Walker provided the Panel with details of the proposed landscape plan.

Questions of clarification were asked by the Panel on the following:

- what is the rationale for not having green roofs at the southwest corner of the second floor?
  - desire to avoid having personal items cluttering the street view
  - it would be possible to green the roofs
- what is the inspiration behind the panel pattern?
  - spires were considered, but in the end greenery was the design inspiration
- what is the material of the perforated screens?
  - pre-finished metal cladding
- what is the rationale for the location of the garbage/recycling collection?
  - the proposed location results from lengthy discussions with City staff
  - a waste management service provider has advised that picking up off of Pandora Avenue would not be an issue as long as the paving surface was smooth
  - the only other option would be in the courtyard with access from Mason Street, but this would be more disruptive to residents
- why is the proposed landscaped island not closer to the crosswalk?
  - this could be moved
- were noise and vibration concerns considered with the proposed garbage bay location next to the lobby?
  - the proposed location is a secondary entrance point
  - these services are disruptive no matter what, but will be most disruptive to the townhouse residents if placed by the primary residential entry at Mason Street
- how will the amenity space on the first level be programmed?
  - the outdoor and tenant space will be used for social gatherings and tenants' parties
- what is the rationale for the main entrance not being visible from the sidewalk?
  - the applicants have done similar projects before and have found it difficult to situate the elevator lobbies at the best point in the building



- placing the main lobby off Pandora Avenue was explored, but the vehicular access location and the noise and grit of Pandora Avenue drove the decision to make the entry off of Mason Street
  - the entrance is not as visible from Mason Street, but entering through the courtyard is nicer, the canopy provides a visual marker and there is a very nice feel along Mason Street
- do the townhouses only have windows towards Mason Street?
  - yes; although the two western units have an opportunity for windows at the rear, these would face neighbours
  - the interior layout supports the proposed window placement
- would glazed windows be possible for the inbound townhouse bedrooms?
  - this can be considered, but would have to respect the fire code and work around the L-shaped tower
- how is the tenth floor roof deck separated from the adjacent unit's bedroom?
  - there is glazing situated at the northwestern corner of the unit and the hedge planting also helps with privacy
  - sound insulation could also be improved for this corner
- what is the reason for the change in the ground level canopy colour on the Pandora Street elevation?
  - the initial design had a break at this location
  - the change helps define the lower commercial floor, but the colour could be made contiguous
- do the top balconies have any canopy above, or are they exposed?
  - at the moment they are exposed, although it would be desirable to extend the glass canopy
- were live-work opportunities with Mason Street explored?
  - the primary focus of the mix of unit types is to attract families, but live-work opportunities could also be explored
- is there a bathroom for the tenth floor amenity patio?
  - this could be added inside beside the storage area
- are the townhouse patios on Mason Street at street level?
  - Mason Street is sloped, so some patios are at street level
- is there opportunity for a green roof adjacent to the sixth and seventh floor patios?
  - this is a possibility
- were the materials purposely selected to create a muted palette?
  - the proposed materials evolved from many samples; the lighter colours in the lower floors complement the nearby churches and the bluish tones echo the lighter blue spandrel panel
- was an independent CPTED analysis completed? In particular, were the benches in the landscape plans included in a CPTED analysis?
  - no independent review was completed
  - there is sufficient light and enough eyes on the street to mitigate security concerns
- have the proposed benches been approved by the City?
  - no, this is just at a conceptual stage at the moment
- will the landscaped island be maintained by the developer?
  - this has not yet been discussed with the City
- what is the rationale for the paving pattern in the driveway from Mason Street?
  - the pattern highlights the main point of entry.

*Deborah LeFrank left the meeting at 3:00pm.*

Panel members discussed:

- recognition of the importance of the site in setting the tone for the area
- the proposal's scale in relation to its current surroundings and the need to consider future development and guidelines
- opportunity to improve the building's mass and functionality by adding a balcony on the top level
- appreciation for the building's shifts in the ground floor aligning with potential adjacent open spaces
- the successful integration of the townhouses and the creation of a street wall
- potential concern for privacy, ventilation and light with windowless bedrooms in the townhouse units
- opportunity to create some detachment of the townhouses for distance, to create a more exciting volume and provide light
- appreciation for the townhouse concept and materiality
- need to refine the second floor canopy to avoid an arbitrary change in colours
- need to break up the continuous glass railing at the top of the building
- concern for the reflectivity of the building overall; the opportunity to add materials to reduce the shininess
- need to reconsider the spandrel glass cladding
- recognition of the proposal's overall success in addressing the large mass
- potential to create an amenity space in the courtyard off of Mason Street

*Elizabeth Balderston left the meeting at 3:20pm.*

- concern for the functionality of the garbage and recycling removal route
- the necessity of improvements to the public realm
- concern for the liveability of the western units labelled "2 bedroom A" on all floors above the second, if an adjacent building is constructed near the property line
- the need to focus on the pedestrian experience
- concern for the cold, hostile pedestrian streetscape and entrance at Pandora Avenue
- appreciation for the glazing at the ground level on Pandora Avenue
- opportunity to make a statement with the entry canopies and resolve the entryways
- lack of visual clarity for main entry off Mason Street
- opportunity to benefit the future street wall through recessed balconies or by revealing greenspace.

**Motion:**

It was moved by Sorin Birliga, seconded by Stefan Schulson, that the Development Permit Application No. 000508 for 926 - 932 Pandora Avenue be approved:

1. subject to the following recommendations:
  - a) introduce non-reflective materials in lieu of spandrel panels;
  - b) revise the 9<sup>th</sup> floor continuous balcony;
  - c) refine both Pandora Avenue and Mason Street streetscapes and entrances; and
2. with consideration to the following recommendations:
  - a) reconfigure the garbage and recycling removal route;
  - b) consider adding windows to the townhouse bedrooms;



- c) review the design of the amenity spaces to improve functionality, privacy and serviceability; and
- d) consider the Panel's comments as captured within the meeting minutes.

**Carried**

For: Jesse Garlick (Chair); Sorin Birliga; Paul Hammond; Carl-Jan Rupp;  
Stefan Schulson  
Against: Jason Niles

#### **4. ADJOURNMENT**

The Advisory Design Panel meeting of May 23, 2018 was adjourned at 3:45 pm.

---

Jesse Garlick, Chair



25 June 2018

Leanne Taylor  
Senior Planner  
City of Victoria  
1 Centennial Square  
Victoria BC



Email: [ltaylor@victoria.ca](mailto:ltaylor@victoria.ca)

**RE: 932 Pandora Street – Revisions to DP Application Drawings**

Dear Leanne,

Further to our meeting on June 19<sup>th</sup>, we are resubmitting the Drawings for 932 Pandora and have incorporated the revisions based on our discussions. The revisions reflect the comments received from the Advisory Design Panel as well as the City of Victoria Planning Department. The following is an itemized list of the revisions;

1. *Refine both Pandora Street and Mason Street Streetscapes and Entranceways;*

- Revised Planter at Mason Street entrance.
- Increased canopy size at Mason Street entrance.
- Addition of bench seating at Mason Street entrance.
- Provided accent paving at solid wall pilaster locations along Pandora Avenue. Also provide an 18" concrete base.
- Provision of a skylight at Pandora Avenue residential entrance to allow for natural light at lobby entry.

2. *Introduction of non-reflective materials in lieu of spandrel panels;*

- Large areas of spandrel panels has been revised to cementitious cladding as per bubbled locations on elevations.

hdrcei.com

HDR | CEI Architecture Associates, Inc.  
500 – 1500 West Georgia Street, Vancouver, BC, CA V6G 2Z6  
(604) 687-1898

Douglas S. Wignall, Architect AIA, AIBC, AAA, MRAIC



3. *Revisions to 9<sup>th</sup> floor continuous balcony.*

- The balcony on the 9<sup>th</sup> floor has been modified to be a combination of cementitious cladding on parapet wall, full-height glazing, and a combination of glazing and solid parapet. Refer to bubbled location noted on elevations.

4. *Additional ADP Considerations;*

- Revised rooms with no windows in Townhome level 2 to be noted as "DEN".
- Garbage/Recycling Room and route was been reviewed by Engineering and approved in its current configuration.
- Improve separation between level 9 unit and common rooftop terrace.
- Provision of a washroom for outdoor patio (*universal W.C. + 2 sinks*)
- Addition of a planter on the South-West level 2 roof.
- Addition of glass canopies for level 10 balconies

5. *Additional Planning Department Considerations:*

- Revised WEST balconies to comply with balcony minimum clearance to side property line of 3.5m (as per *Residential Building Separation Guidelines in the City of Victoria Downtown Core Area Plan*).

We trust these noted revisions reflect the discussions to date and will allow the Planning Department to complete their planning review and processing. We would be pleased to meet with you if you'd like to further discuss any of the above items.

Respectfully,

HDR|CEI Architecture Associates Ltd



Jim Aalders Architect AIBC, MRAIC, LEED AP



September 27, 2018

Leanne Taylor  
City of Victoria  
1 Centennial Square  
Victoria, BC V8W 1P6

**Re: 926-932 Pandora Avenue Land Lift Analysis**

G.P. Rollo & Associates (GPRA) has been retained by the City of Victoria to complete a Land Lift and Amenity Contribution Analysis for the proposed rezoning of 926-932 Pandora Avenue Victoria (the Site) from the current CA-1 Zone to the proposed zone by Kang & Gill Construction Ltd (the Developer).

The purpose of the analysis is to estimate the land lift and amenity contribution on the site from an increase in density from 3.0 FSR for a residential building (identified as the 'base density' under the Official Community Plan designation as Core Mixed-Use Residential Urban Place Designation) to a proposed density of 4.55 FSR mixed commercial at grade with residential strata above project on the Site.

The analysis consisted of preparation of residual land value analyses which determines the maximum value that a developer could afford to pay for the Site assuming it already had the new zoning for 4.55 FSR and the maximum value a developer could pay for the site permitted under the CA-1 Zoning under current market conditions. GPRA has been asked to assess the value of the Site with the following potential uses:

- 1) Residential strata;
- 2) Commercial retail uses;

GPRA used standard developer proformas for each case to model the economics of typical development as proposed/allowed under the each zoning. The 'Lift' is then calculated as the difference in residual land values under both current CA-1 Zone and the proposed new zoning/density.

**METHODOLOGY & ASSUMPTIONS**

The Site is roughly 2,600 square metres in area after dedications and can be developed under the current zoning with a mix of ground floor commercial with residential above at a density up to 3.0 FSR. The proposed new development at roughly 4.55 FSR would amount to approximately 11,840 square metres of GBA, comprised of 11,314 square metres (gross area) of residential (composed of 143 apartments and 5 ground oriented townhouses), and 526 square metres of ground floor commercial space, with 117 parking stalls to be provided.



The analyses are created using a standard developer proforma wherein estimates of revenues and costs are inputs and the remaining variable is the desired output. In typical proformas this output is usually profit, following a revenues minus costs equals profit formula.

For a residual land valuation, however, an assumption on developer's return needs to be included in order to leave the land value as the variable to solve for. For these analyses GPRA has determined the residual value based on the developer achieving an acceptable profit of 15% on total project costs (calculated as a representative portion of overall project costs for the proposed development). The residual values are the maximum supported land value a developer could pay for the site (under the density and conditions tested) while achieving an acceptable return for their project.

The residual land value determined from this analysis is then compared to the value of the site using the supported base density as noted in the OCP to establish a 'lift' in value that arises from the change in density. This lift in value is the total potential monies that are available for public amenities or other public works not considered as part of the analysis. GPRA have made allowances for streetscape and public realm improvements that would typically be incurred through development in both sets of analysis. Any additional improvements that would be required only from the proposed rezoning to 4.55 FSR and not from development under current planning would impact the lift and would need to be identified, priced, and included in a revised analysis.

Typically there is some sharing of the lift value between the Municipality/District and the developer, but the percentage shared varies by community and by project. It is GPRA's understanding that in compliance with current policy, the City has determined that they will seek 75% of the lift for amenities.

GPRA determined strata revenues used in the analyses from a review of recent sales and offerings for sale of recently developed apartments of concrete construction within roughly 10 km of the Site, with a focus on projects that were deemed comparable to that which has been proposed for the Site. Rents for commercial uses have also been drawn from a scan of projects with current listings in the area. Consideration has been given to how the adjacency to various social services in the neighbourhood might impact revenue.

Project costs were derived from sources deemed reliable, including information readily available from quantity surveyors on average hard construction costs in the City. Development or soft costs have been drawn from industry standards, and from the City's sources. All other assumptions have been derived from a review of the market and from other sources deemed reliable by GPRA.

CONCLUSIONS & RECOMMENDATIONS

GPRA estimates that the lift from the proposed zoning for the additional 1.55 FSR of density is roughly \$818,700. At the City's standard rate of a 75% share of the lift the indicated amenity contribution from this rezoning is \$614,000.

I trust that our work will be of use in the City's determination of the Amenity Contribution they will seek as part of rezoning 926-932 Pandora Avenue. I am available to discuss this further at your convenience.



Gerry Mulholland | Vice President  
G.P. Rollo & Associates Ltd., Land Economists  
T 604 275 4848 | M 778 772 8872 |  
E [gerry@rolloassociates.com](mailto:gerry@rolloassociates.com) | W [www.rolloassociates.com](http://www.rolloassociates.com)



## **NORTH PARK NEIGHBOURHOOD ASSOCIATION**

### **Minutes of Community Association Land Use Committee (CALUC) Meeting** **June 7, 2017**

#### **Present:**

Board members: Pam Hartling, Christopher Fleming, Penny Bond,

Members: Michael Rowe, Lori Nielson, Anne Moon, Stacey Ness, Anthony Colyn, Julie Poskitt, Gillian Hurwood (Girl Guide House), Jim Harlick (represented by proxy Steve Blumberg)

Guests: Curtis Knichel, Tommy Ngo, Jim Aalders (HDR CEI Architecture); Carly Abrahams, Biki Kang (Kang & Gill Construction); Rajinder Sahota (Method Built Homes); Kevin DeCoste, Lucy Poskitt, Michele Blumberg, Steve Blumberg, Helene Beaudvin, Holly Rockery, Nona Dyck

**Call to Order:** Christopher Fleming, NPNA CALUC Co-chair, called the meeting to order at 7:00 p.m.

#### **Process:**

This meeting will present two land use proposals, with one hour allotted to each. The developer will present the proposal, then the floor will be open for questions and discussion. The NPNA secretary will record the minutes of the meeting. After the conclusion of the meeting, NPNA's Land Use Committee will write a separate letter to the City for each proposal reporting on decisions and recommendations from the meeting; the minutes will accompany this letter. The NPNA letters and minutes will be sent to all NPNA members and to those who were guests at the meeting.

Based on the conclusions from the meeting, the developer would send modified plans to the City.

Individuals who have particular opinions about the development proposal may send their own letters to the City.

#### **A. Proposal:**

**926 - 932 Pandora Ave. — Kang & Gill Construction;  
HDR CEI Architecture Associates**

##### **1. Presentation**

- The Pandora Ave. side of the proposal is for the maximum height permitted by the Official Community Plan (OCP):
  - 30 m. on Pandora Ave. (10 storeys); 20 m. on Mason St. (six storeys)
- Current zoning is CA-1 (up to 15.5 m. or 5 storeys); OCP supports up to 10 storeys. This development, as planned, would create a site specific zone.
- There are 147 units: studio; several versions of 1-bedroom; 2-bedroom; and 3-bedroom to level 8.
- Level 9 has a common rooftop garden.

- Levels 9 and 10 have the larger suites.
- Floor to space ratio (FSR) is 4.78
- There will be maintenance of good light and view for everybody.
- Plan includes better street right of way on Mason St.
- Five townhouses on Mason St. respond to same landscape as existing houses on the north side of the street. Townhouses are two storeys with patio and second floor balcony.
- Building mass is broken up into three components of differing configuration.
- There is a strict set of rules. The developer is working with City Planning.
- Building is L-shaped with a courtyard on Mason St., heights stepping back from six to 10 storeys from Mason towards Pandora.
- Main entrance on Mason St. has landscaping, courtyard.
  - Secondary access to entry lobby by exterior walkway from Pandora Ave.
  - Common amenity room for all tenants adjacent to entry lobby.
- Bylaw dictates that traffic access and egress must be on the less busy street, which is Mason St.
- Underground parking is on two levels with 81 residential stalls; seven commercial.
- First floor is commercial space.
- Coloured glass on outer aspect of west side stairwell echoes stained glass in the many churches in the area.
- There will be a direct access point to the Pandora bike lane.

## 2. Q&A

Q: Is the building all strata?

A: Yes.

Q: Does it include low cost accommodation?

A: Not at this point.

Q: Shadowing of Mason St. is a concern. How much shadow will fall on the north side of the street?

A: A shadow study was done and will be made available.

Q: The building is “monstrously tall”. It will negatively affect quality of life of the houses on Mason St. Shadow, noise, night-time deliveries are great concerns.

A: Commercial loading zone, including garbage collection, is in place on Pandora. The plan is to maintain a quiet, pleasant atmosphere.

Q: Traffic flow is a major concern in the vicinity of St. John’s Church. There is a fear of being clogged with cars. Additionally, access off Mason St. removes the “eyes on



the street” on the Pandora side, which is a sociological concern. People who live in the building should have a connection to Pandora Ave.

A: Commercial activity all day, and the height of the units will provide eyes on the street. People who live or do business in the building are more likely to travel southward towards Pandora and downtown, rather than away from Pandora.

Q: Drug activity nearby is a concern.

A: The building is solidly commercial on ground level, which should prevent activity from sprawling across Pandora. Our Place is good about engaging and working with the developers.

Q: What impact will the building have on the neighbourhood during construction, in terms of noise, dust, etc? This already is a problem with current construction in the next block.

A: The developers are doing their best to control this aspect of construction. They will try to keep the bulk of the work towards Pandora, not Mason. Due to many factors, it is hard to know when construction will start. The proposal requires full re-zoning, requiring public hearing, so it may take some time for approval of the project.

Q: Does it have to be built to the maximum height?

A: Zoning is in place but looking at the OCP, development is supported for up to 10 storeys. Looking at the long-term vision, there likely will be further development with maximum allowable height all along this block of Pandora. The developer is trying to be sensitive to Mason St. by stepping the height. They will do shadow studies of both the current and proposed heights.

Comment: Victoria Conservatory of Music (VCM) is appreciative of developers looking to improve the neighbourhood. VCM is supportive of these plans.

Q: What materials will be used?

A: Glass, brick on lower floors, south-facing metal screens, wood soffit (overhang). There is an effort to complement the VCM stone.

Q: What will be the impact on the street itself on the Mason St. side?

A: No changes at the stop signs. The street will be widened. There is no talk of changing the parking limits.

## **B. Proposal**

### **953 Balmoral Rd. — Method Built Homes**

This proposal originally was presented to NPNA on July 28, 2016.

#### **1. Original Proposal:**

To:

Pam Hartling and Chris Fleming, North Park Neighborhood Land Use Committee

Lucy Poskitt and Kevin DeCoste

Mayor Lisa Helps

Councillors Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe, Alto and Young.

J. Johnson – City Manager;

J. Jenkyns – Deputy City Manager;

J. Tinney – Director, Sustainable Planning & Community Development;

A. Hudson – Assistant Director, Community Planning;

A. Meyer – Assistant Director, Development Services;

S. Thompson – Director, Finance;

F. Work – Director, Engineering;

M. Miller – Senior Heritage Planner;

A. Brett – Heritage Planner;

B. Sikstrom – Senior Planner;

C. Wain – Planner;

R. Bateman – Planner;

C. Coates – City Clerk;

C. Mycroft – Executive Assistant to the City Manager;

J. Schmidt – Manager, Legislative & Regulatory Services

Michele Blumberg, 942 Mason Street

Jim and Keith, 940 Mason Street

From:

Julie Poskitt, 944 Mason Street

Re: Development Proposals 926-932 Pandora, and 953 Balmoral

June 16, 2017

Dear People,

On June 13, I paid my property taxes (over \$3000), went for dinner and then attended two back-to back and very disheartening development proposal consultations.

The first, at 7 pm, proposed a ten-storey residential tower between Mason and Pandora directly in front of my house, and the next, at 8 pm, for the second time, proposed a six-storey residential build directly behind my house (953 Balmoral).

I am writing to protest the height of these buildings, the noise-and-exhaust levels arising from the parking decisions of these builds for our home, located between them; the loss of sunlight, impacting the enjoyment and use of my property and the destruction of the small-scale, pedestrian and heritage flavour of Mason Street.

My context and reasons are outlined below, and my demands follow at the end of this letter.

**How I came to own 944 Mason**

Over the course of 2011 I watched 944 Mason being built by Chris LeFevre from my then-daily parking spot owned by Mr. Gazzola. I watched it put up for sale, and I ultimately purchased it for our family late in 2011 -- before the latest version of the City's official community plan was created. In 2015, before my family moved to Victoria, and before the tide of Vancouverites came over, I put 944 Mason up for sale, but I've been so glad it did not sell, because I've been able to help my daughter and her husband relocate to Victoria and enjoy this neighborhood, with all its diversity, industry, homeowners, services, small-scale entrepreneurs and proximity to downtown life.

I'm recently retired from the public service, having worked at 800 Johnson since 1995, with a 6 year hiatus in Ottawa, returning in 2006. For 22 years I have loved Mason's little houses, the urban farm and the rezoned-for-commercial heritage buildings behind the Health building, despite their different uses and uneven states of care. I have loved the mix of churches, light industry (including the one currently across from me with its good mural), park space and businesses along all along Mason up to Cook and past Cook. I have watched the growth in numbers of street-involved people, their occasional misbehavior both within my property boundaries and, lately in the church/Scout Club parking areas, the demolition of the Catholic school, the building of the bike lanes and the constant development going on near the City Centre.

### **The value of smaller scale dwellings in the City**

Small, single-family houses, owner occupied or rented, that persist near the City core are a reminder of what Victoria has been and how people have lived there. Although my house is a new build, it has "played nice" in its architectural principles and fits the occupation "story" that has been told up and down this street for a long time. 944 Mason has 2.5 stories, the loft of the main house being used by my daughter as an artist studio, and a rented legal suite attached at ground level which, in my later years, is a place where I can live next to my daughter and son-in-law and their children. Since Lucy and Kevin moved in last year, the front and the back have been cultivated and there is a great 2017 crop of vegetables and flowers. Our neighbor to the east has an apple tree planted at the yard boundary which gives fruit for baking, thanks to the good light and air circulation currently available. Our neighbor to the west has a beautiful rose bush that leans into our front yard. Neither Lucy nor Kevin drive, so their walking access to work and/or buses or bike transportation has been excellent.

Obviously we will all be inconvenienced by construction noise and dust. Obviously these will impact our tenant and any vehicles we'll be parking on the street or in our driveway.

Obviously, due to the Pandora development's shadow, our house will become colder and the yard not as useful for growing or as pleasant for relaxation.

Obviously car traffic will increase (parking entry for the Pandora development). Car emissions will rise (including the parking spaces for the Balmoral development where the exhausts will be directed toward and through our fence into the garden). Whatever we grow will be coated with many more unhealthy substances.

But my concern is not only for my home and my street. Nor is it exclusively for single-home owners abruptly subject to a 20-Year plan, although we feel the brunt of change acutely. It is something larger, and it has to do with a loss of connection to history and older, more land-tied ways of life that existed before we got here.

The developer for Pandora noted the success of the Woodward's development in downtown Vancouver, how street people and new high-rise owners are happily co-existing. But here are my observations from my lived experience of DTES, where Lucy was born, and the lives of friends who've lived in the DTES



since. I would point out how some of these tall builds are subsidized housing developments (good and necessary) and some of these are market and the news is not all good. There is a lot of concern about the gentrification of the DTES, and a great deal of social action, as there has been for generations and which continues, to support the disadvantaged and addicted. For me in the 1980s and for my Vancouver acquaintances who still live and work in the DTES, the single, two or three-storey dwellings of Strathcona with its long-preserved green walkway and its quiet streets, are a kind of shared refuge within the City – a place to live and walk through: THE calm refuge for the Downtown Eastside, not the chilly wet streets below the locked-up developments.

This is what Strathcona teaches us: People, and I'd argue the vulnerable elderly and the young most especially, need to observe close-up, at eye-level, human-scaled dwellings on their distinct plots of land. They need to see humans caring for their scraps of immediate natural world. They need to see how people choose to accommodate (or not) the changes imposed by growing environments day in, day out, from season to season; they need to see the choices forced by leaves, grasses, weeds, berries, apples and weather on dwellers. How street drains are blocked and unblocked by the folks who live behind them, what a barbeque or a lilac smells like, how sidewalks are cleared of snow, who owns which dogs, what blue boxes are for, how unstoppable dandelions are. It's not that every person can afford a single family home in the city, and it's not that every homeowner shares the same concerns, but people, at some unconscious level, want to know that such living was possible once, is still possible. The single family home deep in the city is a locus of dreams and memory, a teacher of small, homely lessons, an imparter of old skills, and a site of greeting.

The small homes that line Mason Street belong not only to individual owners, they belong, in other way, to the imaginations and senses of all the people on the sidewalk, as I was for all those years of parking and walking to work. Mason St. is a place to observe the interface of the human and the natural, to observe a significant span of time in architecture, to speculate and imagine. Although some of this can be said of well-designed taller buildings, it is progressively less true with each storey added to the stack. I contend that small dwellings in the city, like ours, have a value much greater than their dollar worth: they are an intrinsic good. It is, after all, the view of the small Mason Street houses across the street that will incite those who can afford the Pandora townhouses to pay extraordinary prices. This is because the occupied street and life lived on the surface of the living earth, is valuable to everyone: occupants, neighbours and passers-by alike.

### **What I want:**

- LOWER buildings: for Pandora, max 6 storeys, for Balmoral max 4. There is no need at this time to approve variances and build the first big builds to the maximum allowable or permitted height even if that is forseen for the 20 year plan. As this plan is implemented we should START with lower density, and NUANCE the transition zone to complement existing dwellings and build up toward the 20<sup>th</sup> anniversary.
- Don't just reference green space, don't just remind people that things grow: show us how you plan for fully grown shade trees.
- Build with fewer parking spaces than units. Incentivize the units without parking. Offer all-week diagonal parking (currently offered on Sunday) with some residential spaces reserved on Balmoral. Be leaders: give tax breaks for carless and shared-car owner-occupants, so that you are not building for cars, but for people and their lungs.
- City Staff should reach out to residents as much as they work with developers. The time that developers spend with the City officials I help pay for, is built into developer costs. It is therefore unnerving to be told how happy the City is with their proposals, to show us, the affected, the number of bike lock-ups they will be providing, that their hands are tied, they MUST provide this

many parking spaces. What I hear is that the taxes I paid earlier in the day on the 13<sup>th</sup> have been deployed in lots of conversations with Mr. Gill and Mr. Sahota or their staff, so that they can dutifully come and explain to me that this height, these shadows, this decreased privacy, this increased concrete and these fumes have met all the City's demands. And now it's up to me to see the merits of their proposals. Well no thanks: Come to my house and see what is being affected.

Julie Poskitt

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# Rezoning and Development Permit Applications for 926 and 932 Pandora Ave





## SUBJECT PROPERTIES



Pandora Ave frontage



Mason St frontage

## PROPERTY TO THE EAST



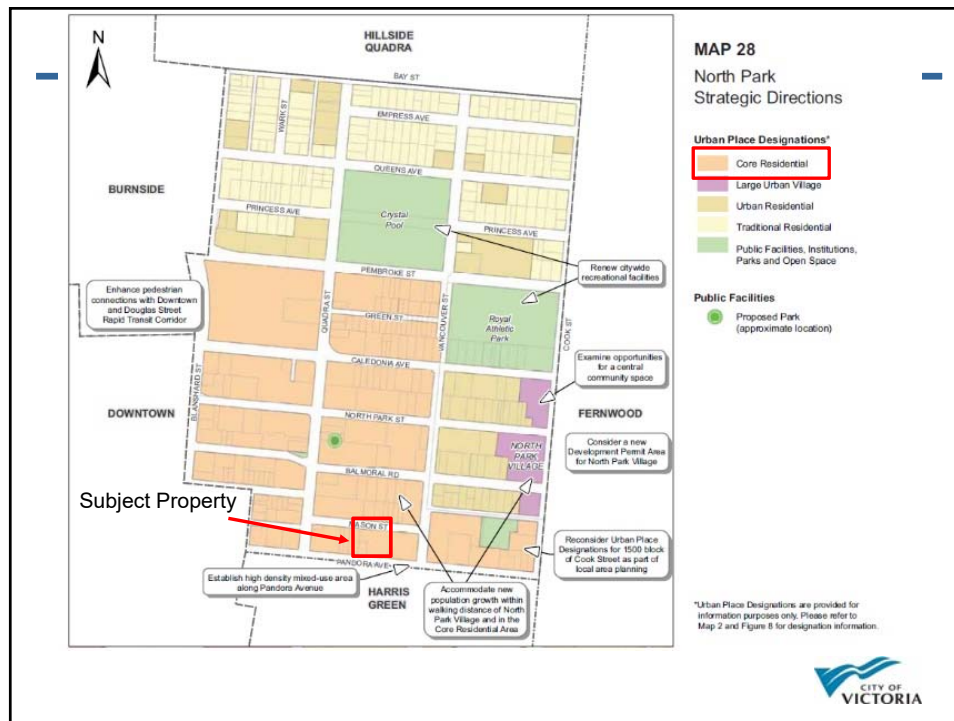
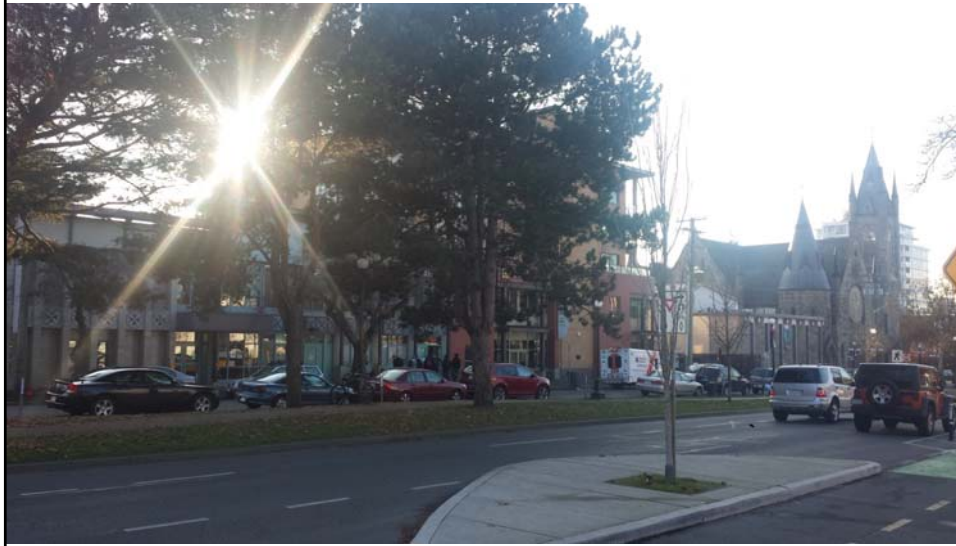
## PROPERTY TO THE WEST



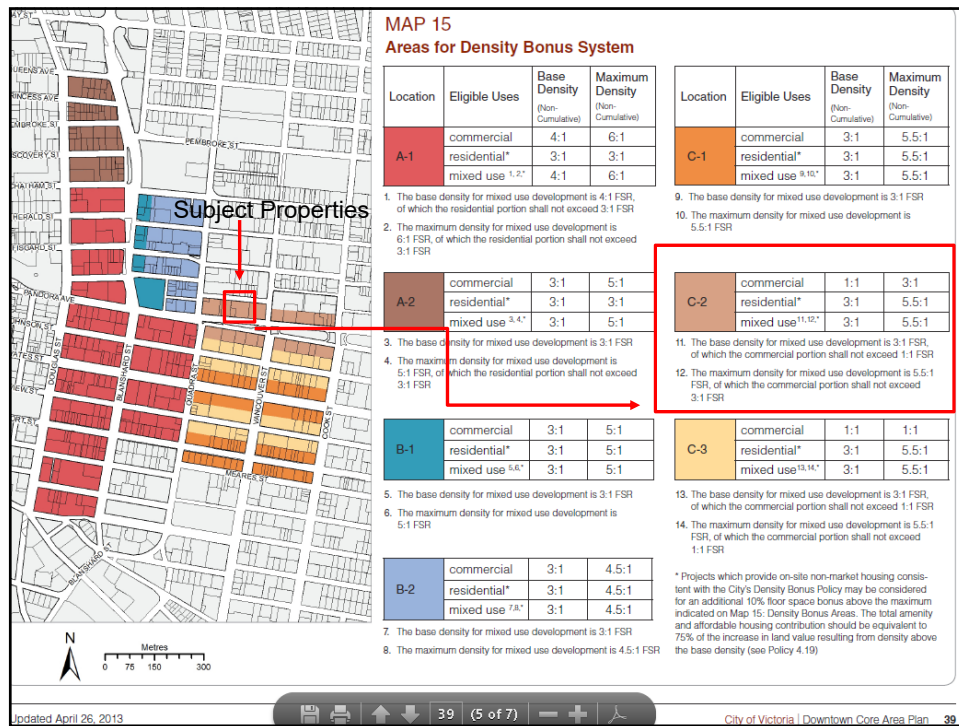
## PROPERTIES TO THE NORTH



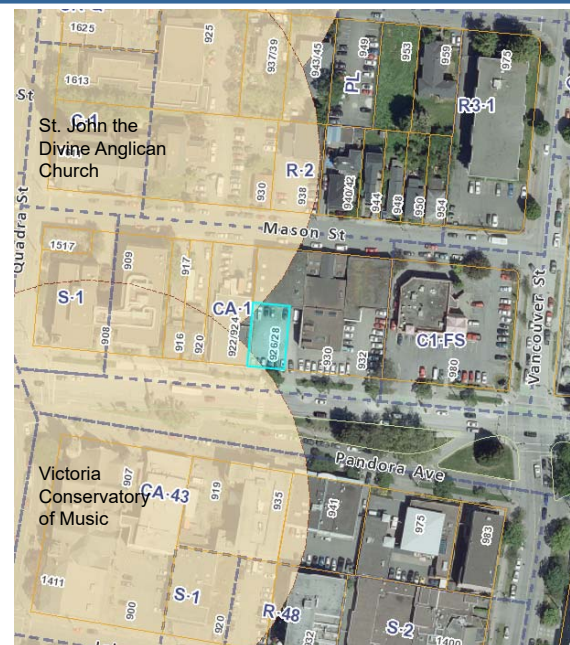
## PROPERTIES TO THE SOUTH







## HERITAGE LANDMARK BUILDINGS AND 90M LANDMARK RADIUS



## PROPOSED SITE PLAN



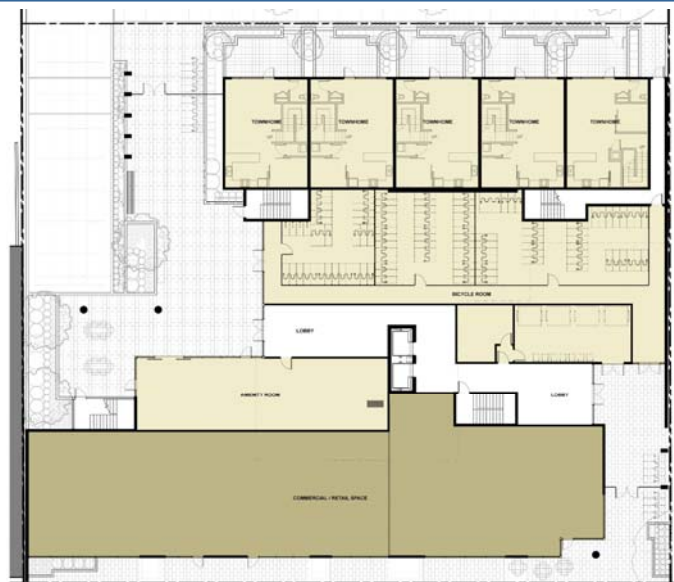
## PARKING LEVEL 1



## PARKING LEVEL 2



## FLOOR PLANS (Main Floor Level)





## Floor Plan (Typical Floor 2)



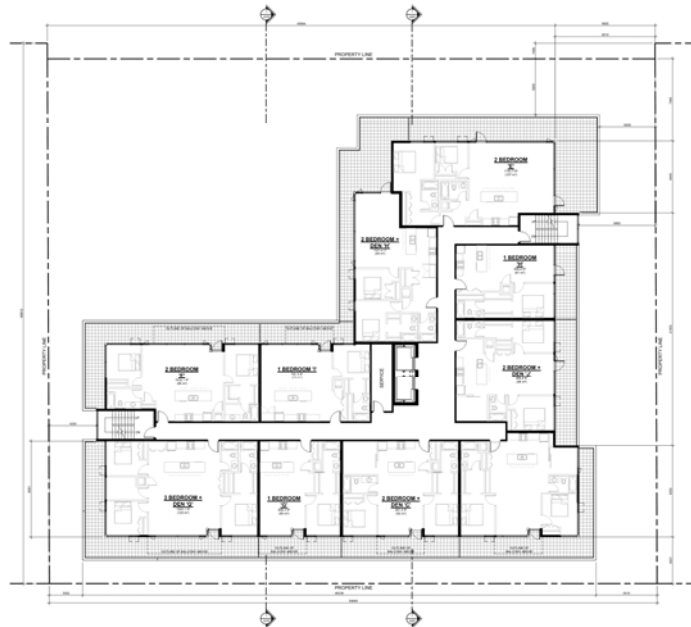
## FLOOR PLANS (Typical Floors 3-5)



## FLOOR PLANS (Typical Floors 6-8)



## FLOOR PLANS (Typical Floor 9)



### FLOOR PLANS (Level 10 – Rooftop Amenity Deck)



### SOUTH ELEVATION (Pandora Ave)





NORTH ELEVATION (Mason St)



EAST ELEVATION



## WEST ELEVATION



## MATERIAL BOARD



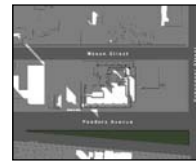
## SHADOW STUDY



[Spring 9am](#)



[Summer 9am](#)



[Winter 9am](#)



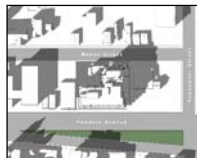
[Spring 12pm](#)



[Summer 12pm](#)



[Winter 12pm](#)



[Spring 3pm](#)



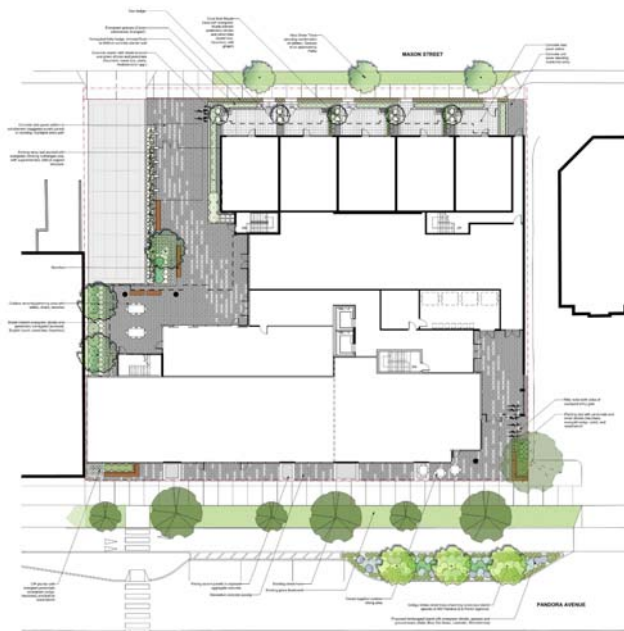
[Summer 3pm](#)



[Winter 3pm](#)



## LANDSCAPE PLANS





## LANDSCAPE PLANS



## RENDERINGS



## RENDERINGS



## RENDERINGS



### Land Lift Analysis and Affordable Housing

- Amenity contribution in the amount of \$614,000.00
  - 75% (\$460,500) towards Downtown Core Area Public Realm Improvement Fund
  - 25% (\$153,500) towards Downtown Heritage Buildings Seismic Upgrade Fund.
- 15 dwelling units (10% of the total residential units) as affordable rental units in perpetuity
  - rented at 15% below appraised market rents
  - at least seven (7) dwelling units would be two and three bedroom units, suitable for families.



### CONTEXT ELEVATIONS



Context Elevation Along Pandora Ave



Context Elevation Along Mason St









## EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding a number of corrections and clarifying amendments to the *Zoning Regulation Bylaw*. The proposed amendments to the Bylaw respond to the following issues:

- minor errors or inconsistencies in the *Zoning Regulation Bylaw*
- minor revisions to the wording of the *Zoning Regulation Bylaw* to provide clarity where the existing wording is causing confusion.

## BACKGROUND

Given the age, size and complexity of *Zoning Regulation Bylaw 80-159* staff bring forward recommended improvements to the Bylaw for Council's consideration from time to time. These improvements may relate to minor technical issues (such as those identified in this report), or they may respond to more complex issues (for example, the review of Schedule C: Off-Street Parking Requirements) where the Bylaw needs to be amended to bring it in line with current best practice and development standards.

Items 3-8 of the staff recommendation were previously presented to Council and on June 9, 2016, Council passed a motion directing staff to address these minor issues (Council minutes attached); however, these proposed amendments did not advance when it became apparent that the motion included several amendments that were subsequently being reviewed through the work associated with the replacement Schedule C (Off-Street Parking Regulations) and *Zoning Regulation Bylaw 18-072* (Downtown), both of which have since been adopted. In addition, due to increased application numbers and development enquiries, and in order to meet target timelines for processing applications, the remaining outstanding amendments were given a lower priority, albeit some of the more time sensitive amendments advanced independently of the main motion.

Staff are now proposing to advance the outstanding minor amendments in addition to proposed minor amendments to the R3-1 and R3-2 Zone, Multiple Dwelling District, and R1-A Zone, Rockland Single Family Dwelling District.

## PROPOSED AMENDMENTS TO THE ZONING REGULATION BYLAW

### 1. R3-1 and R3-2 Zone, Multiple Dwelling District

Under the provisions of the R3-1 and R3-2 Zone, Multiple Dwelling District, if a multi-residential development accommodates all parking in an enclosed parking space, then the development benefits from greater site coverage and density allowances. For example, for a six-storey building where all parking is enclosed, the allowable density is 1.6:1 floor space ratio (FSR). Where the parking is not provided in an enclosed parking space, the allowable density is 1.2:1 FSR. Likewise, the site coverage increases from 30% to 40% for buildings not exceeding four storeys in height.

This is a form of bonus density where the development is entitled to higher density in return for an amenity. The amenity in this instance was intended to be both provision of all parking required under Schedule C and that the parking is enclosed. This greater density assists with the cost of providing enclosed parking and potentially allows for amenity space and landscaping at grade, rather than surface parking and vehicle manoeuvring space without imposing a parking burden on neighbouring streets. However, the language of the Bylaw does not accurately reflect this and, as a result, it is possible to obtain higher density without providing all parking required under Schedule C. As it currently stands, as long as all parking is in an enclosed space, the development is entitled to higher density, even if the number of parking spaces has been reduced through a variance.



Staff recommend that Council consider amending the Zone to clearly describe that in order to achieve the additional site coverage and density outlined in the Zone, motor vehicle parking must be provided in accordance with Schedule C and all motor vehicle parking provided on-site must be located in an enclosed parking space.

## **2. R1-A Zone, Rockland Single Family Dwelling District**

Defined terms are underlined in *Zoning Regulation Bylaw 80-159*; however, due to a drafting error, an undefined term is underlined in subsection 1.1.6 c. of the R1-A Zone, Rockland Single Family Dwelling District and, therefore, this underlining should be deleted. The wording that has inadvertently been underlined is “; and”.

## **3. R1-B-GS4-C1 Zone, Single Family Dwelling with Garden Suite and Limited Commercial Moss Street District**

Subsection 1.122.5 (b) of the R1-B-GS4-C1 Zone, Single Family Dwelling with Garden Suite and Limited Commercial Moss Street District, relates to the maximum number of storeys permitted and reads as follows:

b. Storeys (maximum) 1.5m

This regulation measures height through the use of storeys and, therefore, the “m” (which is a reference to metres) should be deleted from this subsection.

## **4. CA-72 Zone, Fort Street Commercial – Residential District**

Subsection 6.83.5 (a) of the CA-72 Zone, Fort Street Commercial – Residential District, relates to building height and reads as follows:

a. Building height (minimum) 23.7m

The intent of this regulation is to set a maximum building height in this zone and, therefore, the word “minimum” should be replaced with “maximum.”

## **5. R-76 Zone, Oak Bay Avenue Multiple Dwelling District**

The R-76 Zone, Oak Bay Avenue Multiple Dwelling District, makes two references to “lot lines.” As this is a defined term in the *Zoning Regulation Bylaw* it should be underlined to read as “lot lines.”

## **6. R1-S1 Zone, Restricted Small Lot (One Storey) District and R1-S2 Zone, Restricted Small Lot (Two Storey) District**

Minor drafting issues exist in both the R1-S1 Zone, Restricted Small Lot (One Storey) District, and R1-S2 Zone, Restricted Small Lot (Two Storey) District. Addressing these issues involves adding “m” to clarify the unit of measurement (metres) for rear setback requirements and minor changes to underlined text. For example, “site area” is underlined as a defined term; however, “site” and “area” are two separate defined terms and, therefore, this should read as “site area.” Staff recommend that Council consider approving amendments to both of these zones to address these minor issues.



## **7. M2-I Zone, Douglas-Blanshard Industrial District**

"Work-live" is not listed as a permitted use in the M2-I Zone, Douglas-Blanshard Industrial District; however, the zone includes a purpose statement that includes a reference to "work-live." The reference to "work-live" should be deleted and the purpose statement amended accordingly.

## **8. Definition of Half-Storey**

The definition of "Half Storey" in the *Zoning Regulation Bylaw* is:

*"Half Storey" means that part of any building wholly or partly within the framing of the roof, where the habitable floor area is not more than 70% of the ground floor area of the building.*

The term "ground floor" is open to interpretation as it is not a defined term in the *Zoning Regulation Bylaw*; however, the term "First Storey" is defined as follows:

*"First Storey" means the storey above the basement of a building, and in the case of a building without a basement, means the lowest storey.*

The definition for "First Storey" is consistent with the meaning of "ground floor" as it appears in the current definition of "Half Storey", and the use of a defined term provides clarity and certainty. Therefore, staff recommend that Council consider amending the definition of "half storey" to:

*"Half Storey" means that part of any building wholly or partly within the framing of the roof, where the habitable floor area is not more than 70% of the first storey area of the building.*

## **CONSULTATION**

When the City initiates significant changes to the *Zoning Regulation Bylaw*, there would be a consultation process in advance of the Public Hearing; however, in this case, the proposed changes are of such nature that general public consultation is not considered necessary and, instead, staff recommend limiting it to advising the Community Association Land Use Committees and the Urban Development Institute as part of ongoing communication and updates that are provided at regular upcoming meetings, prior to the Public Hearing.

## **OPTIONS AND IMPACTS**

### **2015-2018 Strategic Plan**

The ongoing maintenance of the *Zoning Regulation Bylaw* supports Objective 3: Strive for Excellence in Planning and Land Use as it removes inconsistencies and adds clarity to the existing regulations.

### **Impacts to Financial Plan**

The proposed amendments to the *Zoning Regulation Bylaw* will not impact the *Financial Plan*.

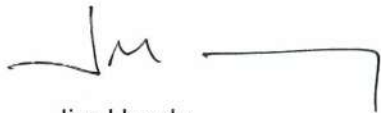
### **Official Community Plan Consistency Statement**

The proposed amendments to the *Zoning Regulation Bylaw* is consistent with the *Official Community Plan*, 2012 which supports the role of the Bylaw to help implement plan objectives, land uses, built forms and densities.


## CONCLUSIONS

The proposed amendments to the *Zoning Regulation Bylaw* respond to errors made when drafting Bylaw amendments. The proposed revisions to the wording of the Bylaw will provide clarity where the existing wording causes confusion and does not fully, or accurately, address the intent of the Bylaw. Staff recommend that Council consider approving the proposed amendments to the Bylaw.

Respectfully submitted,



Jim Handy  
Senior Planner – Development Agreements  
Development Services



Andrea Hudson, Acting Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date:

Nov 13, 2018

### List of Attachments:

- Attachment A – Council minutes June 9, 2016

REPORTS OF COMMITTEES**2. Committee of the Whole – June 9, 2016****1. Proposed Minor Amendments to the Zoning Regulation Bylaw**

It was moved by Councillor Madoff, seconded by Councillor Loveday, that Council instruct staff to prepare the proposed Zoning Regulation Bylaw amendment to correct and clarify the following:

1. Amend the R1-G Zone, Gonzales Single Family District, by amending the wording relating to building setbacks from the waterfront to address minor drafting errors.
2. Amend the R1-B-GS4-C1 Zone, Single Family Dwelling with Garden Suite and Limited Commercial Moss Street District, by deleting the "m" after maximum number of storeys.
3. Amend the CA-72 Zone, Fort Street Commercial - Residential District, replacing the word "minimum" with "maximum" as it applies to height.
4. Amend the R-76 Zone, Oak Bay Avenue Multiple Dwelling District, underlining the defined term "lot lines".
5. Amend the R1-S1 Zone, Restricted Small Lot (One Storey) District and R1-S2 Zone, Restricted Small Lot (Two Storey) District, to address minor drafting errors relating to underlining and the unit of measurement for rear setback requirements.
6. Amend the M2-I Zone, Douglas-Blanshard Industrial District, to remove reference to "worklive".
7. Delete the following redundant zones:
  - i. C-3H Zone, Harbour Commercial District
  - ii. C-4H Zone, Harbour Activity District.
8. Amend the R-2 Zone, Two Family Dwelling District, to include the new regulations for low density residential zones relating to outdoor features.
9. Define the term "Street".
10. Amend the definition of "Half Storey" to reference "first storey area" instead of "ground floor area".
11. Amend the definition of "Site Coverage" by replacing the word "structure" with the word "building" and by clarifying that accessory garden structures, balconies and roof projections are excluded from site coverage calculations.

**Carried Unanimously**



# AMENDMENTS TO ZONING REGULATION BYLAW 80-159



## **1. R3-1 and R3-2 Zone, Multiple Dwelling District**

Refine wording to better clarify that, to achieve the additional site coverage and density outlined in the Zone:

- all required motor vehicle parking must be provided on site; and
- all required motor vehicle parking must be located in an enclosed space.



**2. R1-A Zone, Rockland Single Family Dwelling District**

Minor revisions to underlined text.

**3. R1-B-GS4-C1 Zone, Single Family Dwelling with Garden Suite and Limited Commercial Moss Street District**

Remove reference to metres in regulation relating to maximum number of storeys.



AMENDMENTS TO ZONING REGULATION BYLAW 80-159

**4. CA-72 Zone, Fort Street Commercial-Residential District**

Referenced Building Height should read as “maximum” not “minimum.”

**5. R-76 Zone, Oak Bay Avenue Multiple Dwelling District**

“Lot lines” is a defined term and should be underlined.



AMENDMENTS TO ZONING REGULATION BYLAW 80-159

**6. R1-S1 Zone, Restricted Small Lot (One Storey) District & R1-S2 Zone, Restricted Small Lot (Two Storey) District**

- Reference to “metres” missing from rear setback regulations
- Minor revisions to underlined text.

**7. M2-I Zone, Douglas-Blanshard Industrial District**

Remove reference to “work-live” from purpose statement as this is not a permitted use in this Zone.



AMENDMENTS TO ZONING REGULATION BYLAW 80-159

**8. Definition of “Half-Storey”**

For clarity, replace reference to “ground floor” with the defined term “First Storey”.



AMENDMENTS TO ZONING REGULATION BYLAW 80-159





## Committee of the Whole Report For the Meeting of November 8, 2018

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**To:** Committee of the Whole **Date:** October 25, 2018  
**From:** Chris Coates, City Clerk  
**Subject:** 2019 Committee and Council Meeting Schedule

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### RECOMMENDATION

That Council approve the 2019 Committee of the Whole and Council meeting schedule attached to this report and make available to the public as required under Section 127 of the *Community Charter*.

### EXECUTIVE SUMMARY

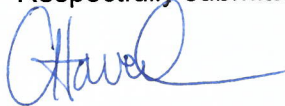
The purpose of this report is to seek Council approval of the 2019 Committee of the Whole and Council meeting schedule. Typically, Committee of the Whole meetings are held on the first four Thursdays of each month and Council meetings, the second and fourth Thursdays. Exception to the schedule include:

- Summer and Winter holidays:
  - August 15 – 29, 2019
  - December 19 – 26, 2019
- Conferences that Council members may choose to attend:
  - Association of Vancouver Island Coastal Communities Annual Conference (Powell River) April 12 – 14, 2019
  - Federation of Canadian Municipalities Annual Conference (Quebec City) May 30 – June 2, 2019
  - Union of British Columbia Municipalities Annual Conference (Vancouver) September 23 – September 27, 2019

The proposed 2019 schedule of Committee of the Whole and Council Meetings is attached as Attachment A for Council's consideration.

Alternatively, Council may wish to discuss the meeting schedule and direct staff to revise the meeting dates.

Respectfully submitted,

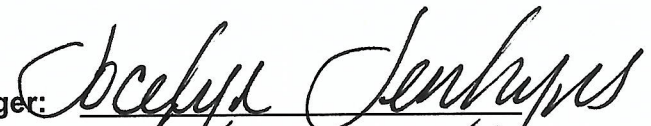


Christine Havelka  
Deputy City Clerk



Chris Coates  
City Clerk

Report accepted and recommended by the City Manager:

  
Date: Nov 2, 2018

Attachment A – 2019 Meeting Schedule

**ATTACHMENT A**  
**2019 COMMITTEE AND COUNCIL MEETING SCHEDULE**

	<b>Committee of the Whole (COTW) 9:00 a.m.</b>	<b>(Closed) Council Meeting After COTW meetings as required</b>	<b>Council Meeting 6:30 p.m.</b>
January	10, 17, 24, 31	10, 17, 24, 31	17, 31
February	7, 14, 21, 28	7, 14, 21, 28	14, 28
March	7, 14, 21, 28	7, 14, 21, 28	14, 28
April	4, 11, 18, 25	4, 11, 18, 25	11, 25
May	2, 9, 16, 23	2, 9, 16, 23	9, 23
June	6, 13, 20, 27	6, 13, 20, 27	13, 27
July	4, 11, 18, 25	4, 11, 18, 25	11, 25
August	1, 8	1, 8	8
September	5, 12, 19	5, 12, 19	5, 19
October	3, 10, 17, 24	3, 10, 17, 24	10, 24
November	7, 14, 21, 28	7, 14, 21, 28	14, 28
December	5, 12	5, 12	12





## Committee of the Whole Report For the Meeting of November 22, 2018

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**To:** Committee of the Whole **Date:** November 19, 2018  
**From:** Chris Coates, City Clerk  
**Subject:** Board, Committee, and Neighbourhood Association Appointments

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### RECOMMENDATION

That Council:

1. Approve all nominations for Council member appointments to boards, committees, and neighbourhood associations listed in Appendix A.
2. Undertake the required public notification regarding the nomination of Councillors Collins, Isitt, Loveday, and Young to the Capital Regional District Regional Water Supply Commission.
3. That Council give consideration to the Acting Mayor schedule on a roster rotation basis in accordance with the *Council Procedures Bylaw*. (Determine the rotation and schedule for the term)
4. That Council consider remaining vacant appointments as noted in this report

### EXECUTIVE SUMMARY

The purpose of this report is to provide to Council the list of nominations for council members appointments to boards, committees, and neighbourhood associations listed in Appendix A and outline any potential issues resulting from these nominations.

The Council nominated councillors to 49 boards, committees, and neighbourhood associations at the November 15<sup>th</sup>, 2018 Committee of the Whole meeting. There are 18 external boards and committees, 6 CRD boards and committees, 13 city advisory committees, 12 neighbourhood associations. Appointments nominated at the November 15, 2018 Committee of the Whole meeting are noted in Appendix A.

Under the *Council Procedures Bylaw*, the Council must also establish a schedule for appointment of members to fill the office of acting mayor on a rotating basis.

The following appointments still require nominations:

- Municipal Insurance Association of BC (2021-2022)
- Victoria Civic Heritage Trust Term 2 (2021-2022)
- Community Action Plan on Discrimination Term 2 (2021-2022)
- T'mexw Treaty Advisory Committee Term 2 (2021-2022)

- Royal and McPherson Theatres Society Advisory Committee 1 of 2 appointments for Term 1 (2018-2020) and 1 of 2 appointments for Term 2 (2021-2022)
- Youth Council (2021-2022)
- Accessibility Working Group (Advisory Committee) 2 appointments for Term 2 (2021-2022)
- Acting Mayor Schedule (Councillor rotation with schedule determined by Council)
- James Bay Neighbourhood Association Term 2 (2021-2022)
- Rockland Neighbourhood Association Term 1 (2018-2020) and Term 2 (2021-2022)

The following Board has too many appointments and an election would be required:

- Greater Victoria Harbour Authority Member Representative Term 1 (2018-2020)

Some nominations require further action before appointments may occur. First, the CRD Regional Water Supply Commission requires the public to have input into these nominations, which may happen through an advertisement in the local newspaper. Second, there are 4 nominations to the City Family in Term 1 only (2018-2020) although the City Family Terms of Reference currently indicate 3 Council members to be a part of the City Family; as a result, discussion with the Songhees and Esquimalt First Nations is necessary before appointing 4 councillors.

A supplement to this report will be prepared to identify the meeting days for these Boards and Committees and Neighbourhood Associations to establish any potential conflicts.

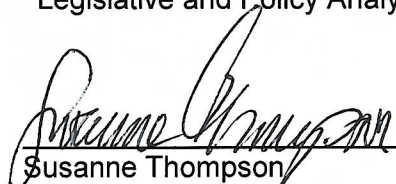
Respectfully submitted,



Monika Fedyczkowska  
Legislative and Policy Analyst




Chris Coates  
City Clerk



Susanne Thompson  
Deputy City Manager

Report accepted and recommended by the City Manager.



Date: Nov 16, 2018

#### List of Attachments

#### **Appendix A - Victoria City Council Appointments to Boards and Committees**

## Appendix A - Victoria City Council Appointments to Boards and Committees

A. External Committees / Boards		
<b>Capital Region Emergency Service Telecommunications (CREST)</b>		
(Nov)2018-2020	2021-2022	Roles / Responsibilities / Information
Geoff Young	Sharmarke Dubow	<ul style="list-style-type: none"> <li>Governed by the <i>Emergency Communications Corporations Act</i></li> <li>Provides emergency radio telecommunications for 50 emergency response agencies in BC's capital region</li> </ul>
<b>Canadian Capital Cities Organization Board</b>		
(Nov)2018-2020	2021-2022	Roles / Responsibilities / Information
Marianne Alto Charlayne Thornton-Joe	Jeremy Loveday Geoff Young	<ul style="list-style-type: none"> <li>Representatives from each capital city working together to promote the historic, cultural, economic and symbolic heritage of the capitals in Canada.</li> <li>Representatives from federal, provincial, territorial and municipal public sectors as well as the private sector.</li> </ul>
<b>Greater Victoria Harbour Authority - Board Member</b>		
(Nov)2018-2020	2021-2022	Roles / Responsibilities / Information
Laurel Collins	Sharmarke Dubow	<ul style="list-style-type: none"> <li>The purpose of the GVHA is to manage and develop the harbour assets and operations.</li> <li>To respond to and be reflective of community interests and work in cooperation with the members and other stakeholders.</li> <li>The Board of Directors is comprised of member agencies and their respective nominees.</li> </ul>
<b>Greater Victoria Harbour Authority - Member Representative</b>		
(Nov)2018-2020	2021-2022	Roles / Responsibilities / Information
Ben Isitt Charlayne Thornton-Joe	Ben Isitt	<ul style="list-style-type: none"> <li>Each Member is represented by one individual who is chosen by the Member.</li> </ul>



<b>Greater Victoria Public Library Board</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Jeremy Loveday	Marianne Alto	<ul style="list-style-type: none"> <li>• Governed by a Board of Trustees established under the <i>Library Act</i></li> <li>• Make policy within the legislation and regulations to support the GVPLB mission</li> <li>• Oversee the GVPLB finances</li> </ul>
<b>Tourism Victoria Board of Directors</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Jeremy Loveday	Sharmarke Dubow	<ul style="list-style-type: none"> <li>• The not-for-profit destination marketing organization working in partnership with more than 900 business members and municipalities in Greater Victoria to promote tourism.</li> </ul>
<b>Municipal Insurance Association of British Columbia (MIABC)</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Geoff Young	None	<ul style="list-style-type: none"> <li>• Provide broad liability insurance coverage needed for member's financial security, stabilize liability insurance costs and offer risk management education</li> </ul>
<b>Federation of Canadian Municipalities - Election to Board of Directors</b>		
		<b>Roles / Responsibilities / Information</b>
Council members may seek appointment to FCM		<ul style="list-style-type: none"> <li>• Represent the interests of municipalities on policy &amp; program matters that fall within federal jurisdiction</li> <li>• There are 8 Directors of the Board representing BC</li> <li>• Elections are held at the Annual AGM</li> <li>• The Board meets 3 times annually (phone/or in person)</li> </ul>

Board of Cemetery Trustees of Greater Victoria		
(Nov)2018-2020	2021-2022	Roles / Responsibilities / Information
Sarah Potts	Geoff Young	<ul style="list-style-type: none"> <li>Established and governed under the <i>BC Cemetery and Funeral Service Act</i> and the <i>Community Charter</i></li> <li>Responsible for regulations for the use, operation and management of the property of the Board</li> <li>Oversee the finance of the Board</li> </ul>
Greater Victoria Airport Authority - Airport Consultative Committee		
(Nov)2018-2020	2021-2022	Roles / Responsibilities / Information
Ben Isitt	Ben Isitt	<ul style="list-style-type: none"> <li>The meetings provide an opportunity for the public to learn more and engage with the Victoria Airport Authority</li> </ul>
Greater Victoria Family Court and Youth Justice Committee		
(Nov)2018-2020	2021-2022	Roles / Responsibilities / Information
Sharmarke Dubow	Sarah Potts	<ul style="list-style-type: none"> <li>Established under the <i>Provincial Court Act</i></li> <li>Mandate is to protect youth in the justice system</li> <li>1 Councillor or public appointee from each 13 municipalities</li> </ul>
University of Victoria Liaison		
(Nov)2018-2020	2021-2022	Roles / Responsibilities / Information
Charlayne Thornton-Joe	Sharmarke Dubow	<ul style="list-style-type: none"> <li>Not clearly defined</li> </ul>
Victoria Civic Heritage Trust		
(Nov)2018-2020	2021-2022	Roles / Responsibilities / Information
Jeremy Loveday Charlayne Thornton-Joe	Sharmarke Dubow None	<ul style="list-style-type: none"> <li>Administers a grant program to assist homeowners with the upkeep and rehabilitation of older homes, on behalf of the City.</li> </ul>

<b>Victoria Heritage Foundation</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Sarah Potts	Charlayne Thornton-Joe	<ul style="list-style-type: none"> <li>VHF administers the City of Victoria's grant program for heritage properties;</li> <li>Helps support the conservation of the City's heritage houses through house grants, education and public awareness.</li> </ul>
<b>Victoria Parks and Recreation Foundation</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Charlayne Thornton-Joe	Sarah Potts	<ul style="list-style-type: none"> <li>Its mission is to enhance the parks system, community leisure services, recreation services, public art and education within, but not restricted to, the City of Victoria;</li> <li>To receive and solicit donations and bequests of land, money and in kind gifts and services for an endowment fund and/or special projects.</li> <li>Administer donations and bequests.</li> <li>Hold title to real property that is dedicated to the public.</li> </ul>
<b>Victoria Regional Transit Commission – Mayor is standing Member (4 years) / Council nominated candidate is appointed to the Commission by the Province (2 years)</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Sharmarke Dubow	Laurel Collins	<ul style="list-style-type: none"> <li>Many decisions regarding transit services and funding in the Victoria region are made by this Commission.</li> <li>Commission members are appointed by the Lieutenant Governor in Council from persons holding elected office.</li> <li>It is responsible for determining route configurations and transit service levels; setting fares, reviewing and making recommendations for the annual operating budget and capital spending and raising the local share of the annual cost of transit service in the region.</li> </ul>
<b>Community Action Plan on Discrimination</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Sharmarke Dubow	None	<ul style="list-style-type: none"> <li>The mandate is to address social and racial profiling in services in Victoria, in particular health and policing.</li> </ul>



T'Mexw Treaty Advisory Committee		
(Nov)2018-2020	2021-2022	Roles / Responsibilities / Information
Marianne Alto	None	<ul style="list-style-type: none"><li>Coordinates and represents the interests of most Lower Vancouver Island local governments within the CRD representing their needs to the Te'Mexw Treaty negotiations</li></ul>
B. CRD Boards & Committees		
Arts Commission – 4 year appointment if a CRD Director / 2 year appointment if not a CRD Director / Alternates may be nominated		
(Nov)2018-2020	2021-2022	Roles / Responsibilities / Information
Jeremy Loveday	Jeremy Loveday	<ul style="list-style-type: none"><li>Established as an independent community-based body to provide advice to the CRD on matters relating to the arts service that was established in 2001.</li><li>Mandate to support arts in the community, public awareness and involvement, creation exhibition and performance of artistic works.</li><li>The adjudicative body for arts funding programs</li></ul>
Regional Water Supply Commission – 4 year term; appointment pending the completion of public input		
(Nov)2018-2022	Roles / Responsibilities / Information	
Laurel Collins Ben Isitt Jeremy Loveday Geoff Young	<ul style="list-style-type: none"><li>A commission to review any matter relating to the regional water supply service.</li></ul>	
Regional Housing Trust Fund Commission		
(Nov)2018-2020	2021-2022	Roles / Responsibilities / Information
Charlayne Thornton-Joe	Sarah Potts	<ul style="list-style-type: none"><li>A fund that provides capital grants for the acquisition, development and retention of housing.</li><li>Is a key function of the Regional Housing Affordability Strategy, that helps leverage additional funds from other sources.</li></ul>

<b>Royal and McPherson Theatres Society Advisory Committee</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Geoff Young	Sharmarke Dubow	<ul style="list-style-type: none"> <li>An advisory role to provide advice to the above Board.</li> </ul>
<b>Climate Action Inter-Municipal Task Force</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Sarah Potts	Laurel Collins	<ul style="list-style-type: none"> <li>Meets bi-annually</li> <li>Share information, collaborate on projects, review current program deliverables and provide input on the direction of the CRD Climate Action Program</li> </ul>
<b>C. City Advisory Bodies</b>		
<b>Art in Public Places Committee</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Charlayne Thornton-Joe	Sarah Potts	<ul style="list-style-type: none"> <li>To advise the City on public art issues and trends relevant to public art initiatives in the City.</li> <li>To advise and consult on specific issues, such as donations and commissions of work.</li> <li>To nominate one of their members and other artists in the community to serve on the selection panel for specific art projects.</li> <li>To determine the type of competition to be held for a particular art project, and review the criteria for selection of the artist and/or artwork, the Call to Artists and the Competition Brief.</li> </ul>

<b>Renters' Advisory Committee</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Sharmarke Dubow Jeremy Loveday	Laurel Collins Sarah Potts	<ul style="list-style-type: none"> <li>• To provide advise and recommendation on policies to increase rental housing stock;</li> <li>• Improving conditions and wellbeing for renters;</li> <li>• Strategic priorities relating to renters</li> <li>• The impacts of provincial and federal legislation affecting tenants</li> <li>• Enhancing access and inclusion for renters in developing municipal policy and civic life</li> <li>• Other matters relevant to the interest of renters</li> </ul>
<b>South Island Prosperity Project</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Lisa Helps	Marianne Alto	<ul style="list-style-type: none"> <li>• A collaboration of private business, local government and post-secondary institutions creating a vehicle for economic development and to diversify the regional economy;</li> <li>• Advise on to best deliver an economic development function to support small businesses.</li> </ul>
<b>Urban Food Table</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Laurel Collins Ben Isitt	Ben Isitt Jeremy Loveday	<ul style="list-style-type: none"> <li>• To bring together organizations, groups and individuals to work together to support increased urban food production as an important part of developing a healthy, ecological and sustainable food system in Victoria.</li> </ul>
<b>City of Victoria Youth Council</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Sharmarke Dubow	None	<ul style="list-style-type: none"> <li>• A youth group that offers opportunities for civic engagement for youth on issues and initiatives in Victoria</li> <li>• Take action and raise awareness about issues important to youth</li> <li>• Work with Mayor, Council and staff to include youth perspectives in municipal processes and decisions.</li> </ul>



<b>Honorary Citizens Committee</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Ben Isitt Charlayne Thornton-Joe	Ben Isitt Charlayne Thornton-Joe	<ul style="list-style-type: none"> <li>• Meet to ensure there are a suitable number of nominations to choose from</li> <li>• Evaluate nominations and makes recommendations to Council</li> <li>• To recognize citizens for their service or achievements and having made an exceptional contribution to the City, who must be living in, or former residents of Victoria</li> </ul>
<b>Active Transportation Advisory Committee</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Ben Isitt Geoff Young	Ben Isitt Jeremy Loveday	<ul style="list-style-type: none"> <li>• Provides advice on strategies for promoting mode shift to active transportation, including proposed transportation expenditures; transportation issues and priorities; crosswalk prioritization; the Pedestrian and Cycling Master Plan; Transit issues, priorities and projects and place-making initiative.</li> </ul>
<b>Downtown Victoria Business Association</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Charlayne Thornton-Joe	Sarah Potts	<ul style="list-style-type: none"> <li>• To be a proactive champion for Victoria's downtown business community, promoting sustainable economic vitality through direct action and advocacy</li> </ul>
<b>Island Corridor Foundation Advisory Committee</b>		
		<b>Roles / Responsibilities / Information</b>
Appointment by CRD		<ul style="list-style-type: none"> <li>• A collaboration between First Nations and Regional District to protect the Island rail corridor</li> </ul>
<b>Canada Day Liaison</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Charlayne Thornton-Joe	Charlayne Thornton-Joe	<ul style="list-style-type: none"> <li>• A collaboration between various agencies and stakeholders to produce a Canada Day event downtown</li> </ul>

<b>Accessibility Working Group (Advisory Committee)</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Jeremy Loveday Sarah Potts	None	<ul style="list-style-type: none"> <li>A working group with a term mandate to identify barriers for persons with disabilities; establishing criteria and making recommendations as to how to remove these barriers; working to draft policies and procedures to prevent the creation of barriers in the future;</li> <li>In January 2017 Council directed that the AWG become an advisory committee with Terms of Reference</li> </ul>
<b>City Family</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Marianne Alto Lisa Helps Ben Isitt Charlayne Thornton-Joe	Marianne Alto Ben Isitt Sarah Potts	<ul style="list-style-type: none"> <li>Made up of members of the Songhees and Esquimalt Nations, other urban Indigenous people, the Mayor and select City Council members.</li> </ul>
<b>Royal and McPherson Theatres Society</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Marianne Alto	Jeremy Loveday	<ul style="list-style-type: none"> <li>Society founded in 1977 for the purpose of operating the two theatres.</li> <li>Works to maintain, preserve and further develop the Royal Theatre and McPherson Playhouse by providing governance and management of the organizations' resources.</li> </ul>
<b>Acting Mayor</b>		
<b>(Nov)2018-2022</b>	<b>Roles / Responsibilities / Information</b>	
Determine rotation method	<ul style="list-style-type: none"> <li>Council must establish a schedule for the appointment of members to fill the office of acting mayor on a rotating basis;</li> <li>Responsible for acting in the place of the mayor when the mayor is absent or otherwise unable to act, or the office of mayor is vacant;</li> <li>Has the same powers and duties as the mayor in relation of the applicable matter.</li> </ul>	

<b>Councillor Neighbourhood Liaisons</b>		
<b>(Nov)2018-2020</b>	<b>2021-2022</b>	<b>Roles / Responsibilities / Information</b>
Sarah Potts	Charlayne Thornton-Joe	Burnside Gorge Community Association
Ben Isitt	Jeremy Loveday	Hillside / Quadra Neighbourhood Action Group (downtown Blanshard Advisory Committee)
Charlayne Thornton-Joe	Sarah Potts	Downtown Residents Association
Geoff Young	Ben Isitt	Fairfield Gonzales Community Association
Sharmarke Dubow	Laurel Collins	Fernwood Community Association
Laurel Collins	None	James Bay Neighbourhood Association
Marianne Alto	Charlayne Thornton-Joe	North Jubilee Neighbourhood Association
Sharmarke Dubow	Geoff Young	North Park Neighbourhood Association
Ben Isitt	Jeremy Loveday	Oakland Community Association
None	None	Rockland Neighbourhood Association
Marianne Alto	Charlayne Thornton-Joe	South Jubilee Neighbourhood Association
Jeremy Loveday	Laurel Collins	Victoria West Community Association







## Committee of the Whole Report For the Meeting of November 22, 2018

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**To:** Committee of the Whole

**Date:** November 21, 2018

**From:** Chris Coates, City Clerk

**Subject:** Appointments to Capital Region Housing Corporation

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### RECOMMENDATION

That Council ratifies and confirms the appointment of its current Capital Regional District Representatives to the Capital Region Housing Corporation Board.

### EXECUTIVE SUMMARY

Attached is correspondence from the Capital Regional District in connection with the appointment of all CRD Board Directors to the Board of the Capital Region Housing Corporation. Changes to the structure of the Corporation were adopted by expanding the Board membership to include all appointed Directors to the Capital Regional District Board.

In order for CRD Board Directors to qualify for an exemption under the BC *Conflict of Interest Exemption Regulation* while participating at their municipal councils on Housing Corporation matters, a further resolution from Council on these appointments would address any issues of potential conflict of interest.

Respectfully submitted,

A blue ink signature of Chris Coates, written over a horizontal line.

Chris Coates  
City Clerk

A blue ink signature of Susanne Thompson, written over a horizontal line.

Susanne Thompson  
Deputy City Manager

Report accepted and recommended by the City Manager:

A blue ink signature of Josephine Brinkman, written over a horizontal line.

Date: Nov 21, 2018

### List of Attachments

**Appendix A – CRD Letter dated November 20, 201**

November 20, 2018

Dear City of Victoria Council,

On November 14, 2018, the Capital Regional District Board appointed its directors as those of the Capital Region Housing Corporation ("CRHC"), the wholly-owned corporation which provides the CRD's public housing function by Letters Patent. As you are aware from our appointment letter dated October 22, 2018, all CRD directors are also appointed corporate directors of the CRHC, an increase in board membership from previous years.

To ensure any issues relating to a potential conflict of interest are covered by the *Conflict of Interests Exemption Regulation*, BC Reg. 91/2016 [COIE], the CRD has amended the CRHC Articles of Incorporation to ensure appointments to the CRHC board are explicit at both the municipal and regional levels. These steps are only a precaution to ensure elected officials fall squarely within the COIE regulation when considering Housing Corporation matters at their municipal councils.

In order to make the municipal appointment effective, the CRD requests that your Council pass the following resolution at the earliest opportunity and forward confirmation to the writer by no later than December 5, 2018:

That the City of Victoria ratifies and confirms the appointment of its current CRD representatives to the CRHC Board.

We would also like to remind you of the appointments requested in the letter dated October 22, 2018. If you have not forwarded these appointments to us yet, please do so no later than December 5, 2018.

If you have any questions or concerns, please contact our office at 250.360.3129.

Yours truly,



Kristen Morley  
General Manager, Corporate Services  
Corporate Officer  
250.360.3638





## **Council Member Motion**

**For the Committee of the Whole Meeting of November 22, 2018**

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**Date:** November 19, 2018

**From:** Councillor Collins, Councillor Potts, Councillor Dubow

**Subject:** Adopt and Consistently Apply the CMHC's Definition of Affordable Housing

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### **Background**

The City of Victoria uses the Canada Mortgage and Housing Corporation (CMHC) definition of affordable housing in the Victoria Housing Strategy:

The Canadian Mortgage and Housing Corporation (CMHC) defines affordable housing relative to income, as housing that costs less than 30% of before-tax household income. For renters, shelter costs include rent and any payments for electricity, fuel, water and other municipal services. For owners, shelter costs include mortgage payments, property taxes and any condominium fees along with payments for electricity, fuel, water and other municipal services. Affordable housing is a relative term and can also be defined relative to market prices. The City of Victoria defines affordable housing as costing no more than 30% of gross household income. This Strategy uses this definition to define the limits of affordability, based on a range of incomes to determine the number and types of units required by 2026 based on average rental prices coupled with population growth projections. These figures were used to ascertain high level targets for market and affordable (subsidized) rental for individuals and for families.

More recently, in July 26, 2018, Council adopted Bylaw 18-017, amending the Zoning Regulation Bylaw to include the following definition:

"Affordable" means housing that falls within the financial means of a household in either market or non-market dwellings. Total costs for rent or mortgage plus taxes (including a 10% down payment), insurance and utilities must equal 30% or less of a household's annual income.

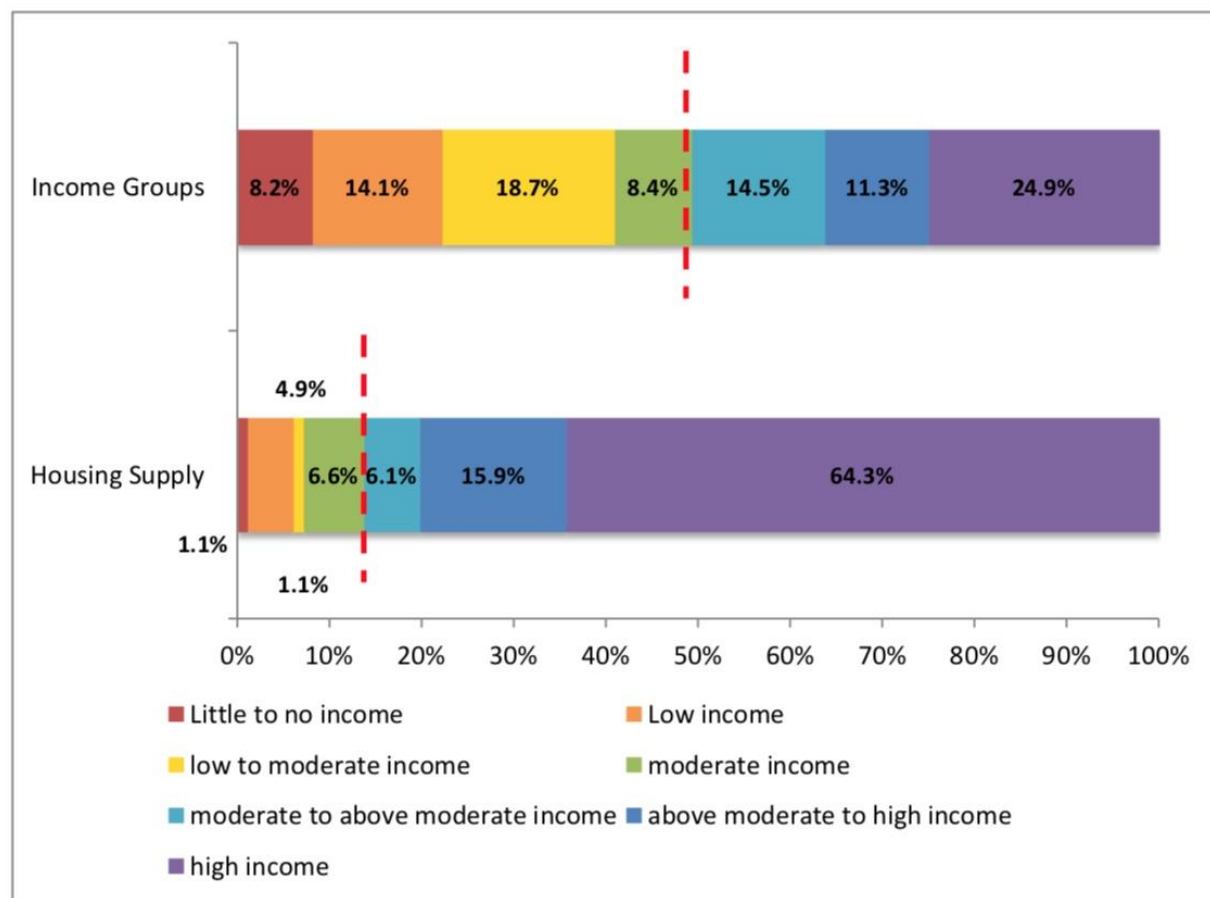
BC Housing provides the following definition:

Affordable (housing): Housing is considered affordable when 30 per cent or less of your household's gross income goes towards paying for your housing costs.

Despite the use of the CMHC's definition in Victoria Housing Strategy and in the Zoning Regulation Bylaw, the definition is not being consistently applied in the development and rezoning processes. Without a consistent definition of affordable housing, tracking how many "affordable housing" units are created or in development is difficult.

It is particularly important to be tracking how much affordable housing is being built in our region, since according to the CRD Community Social Planning Council's 2015 Housing Gap

Analysis there is an over-supply of high income, market ownership housing, and an insufficient supply of low-income to moderate income housing options.



Sources: 2014 Facility Count (GVCEH), BC Housing (2015), Canada Mortgage and Housing Corporation (2014), and 2011 National Household Survey, Statistics Canada

While the CRD Community Social Planning Council's 2015 Housing Gap Analysis uses seven income brackets, the City of Victoria has been using quintiles. These five income brackets could be adjusted over time, but currently are: very low income (less than \$20,000 per year), low income (\$20,000-\$35,000 per year), low-to-moderate income (\$35,000-\$55,000 per year), moderate income (\$55,000-\$85,000 per year), and above moderate income (over \$85,000).

## Recommendations:

That Council:

1. Adopt and consistently apply the definition of affordable housing, as housing where the price does not exceed 30% of the gross annual household income for very-low, low, low-to-moderate, and moderate income households. Ensure in rezoning processes where applicants claim to have affordable housing as part of their proposals that this definition is used for the affordable portion of the units and distinguished from housing units that are simply below-market.
2. Direct staff to report on a quarterly basis on:
  - a) the number of non-profit affordable rental housing units created or under construction (distinguishing the number of below market rental housing units, the number of rent geared to income units using BC Housing housing income limits,


- and number of deep subsidy rental housing units), as well as the number of non-profit affordable home ownership units created or under construction.
- b) the number of for-profit affordable housing rental units and the number of for-profit affordable home ownership units created or under construction.
  - c) the combined number of affordable housing units created or under construction, as well as for which incomes brackets the affordable units are targeted.
3. Direct staff to notify council about the number of affordable units in each rezoning proposal, as well as for which incomes brackets the affordable units are targeted
  4. Direct staff to report back with recommendations on other improvements to processes for data gathering and reporting on affordable housing.



Laurel Collins



Sarah Potts



Sharmarke Dubow





# Capital Region Housing Data Book & Gap Analysis

Prepared by the Community Social Planning Council of Greater Victoria | **August 2015**

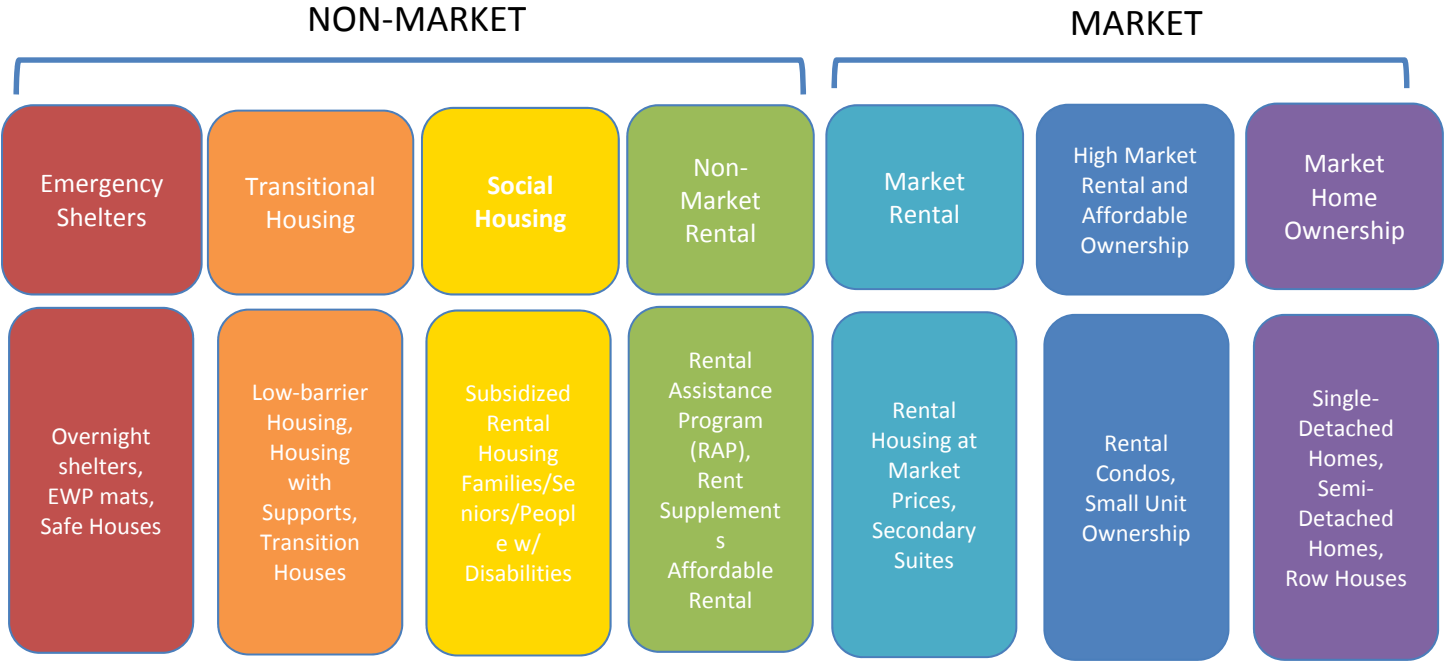
# The Capital Region Housing Gap Analysis & Data Book

## Introduction

The Capital Region Housing Data Book is the first comprehensive collection of data related to housing in the capital region. The book is modeled on the Metro Vancouver Housing data book<sup>i</sup> and provides detailed data for the capital region as a whole, and for each municipality and Electoral Area<sup>ii</sup> on population and income distributions related to housing, housing market indicators, and housing need with focused sections of housing choices for renter households, and housing choices for owner households. Each thematic section of the Data Book provides a description of the data being presented and a summary of the most notable findings.

## The Housing Continuum and Housing Affordability

The summary presented here presents the most notable findings at the capital region level related to housing need and housing affordability on the housing continuum.



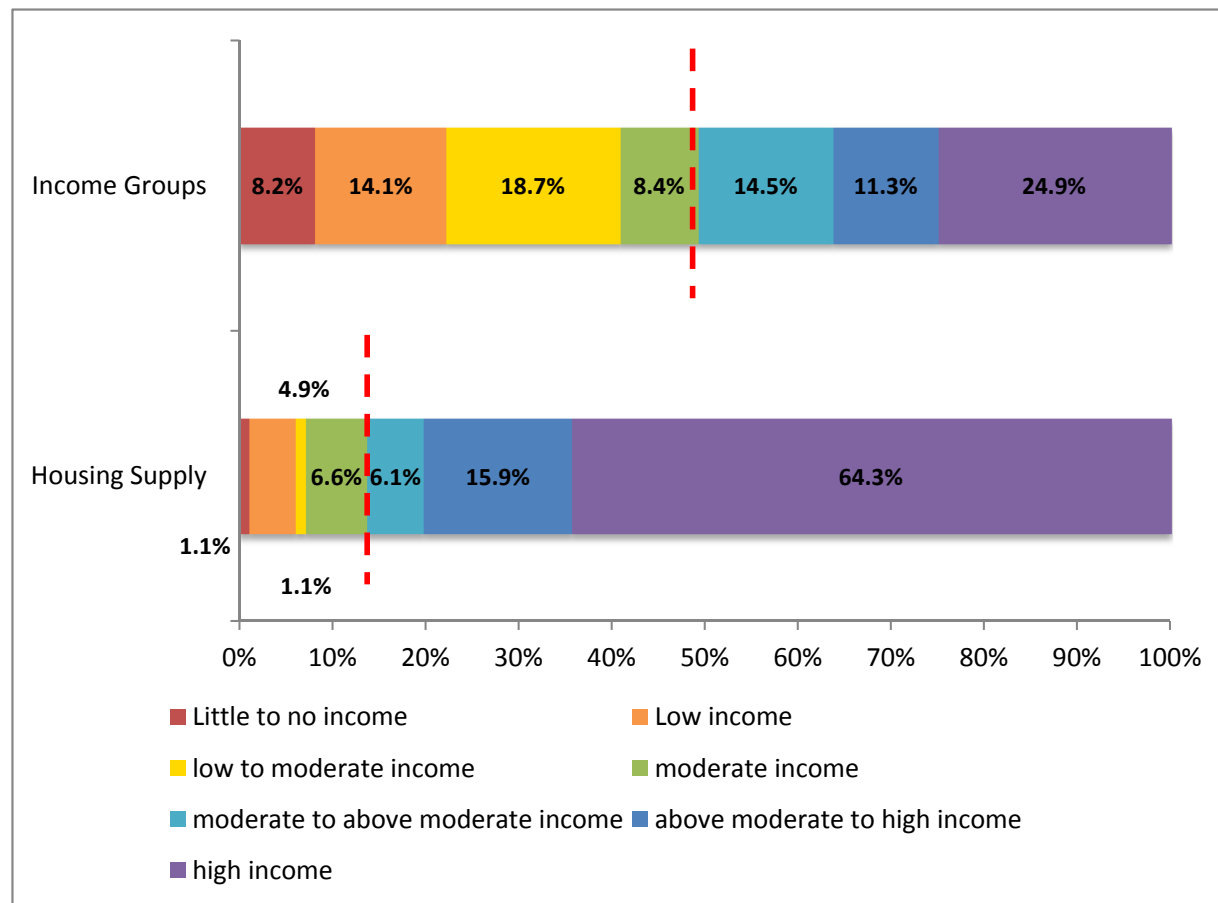
## Capital Region Gap Analysis

The gap analysis, for the purposes of this project, is presented as a visual graphic that looks at the household income that is required to afford shelter along the housing continuum and then presents that distribution in relation to housing supply.<sup>iii</sup> The following discussion presents an explanation of the income categories, and related housing supply.

### Capital Region Housing Supply and Households by Income Required to Afford Shelter (160,635)

The dashed red line indicates the divide between non-market (left of the line) and market housing (right of the line). This diagram displays an evident over supply of high income, market ownership housing, and an insufficient supply of low-income to moderate income housing options.

Graph 1: Household Income to Afford Shelter by Income Groups, CRD 2010 (N=160,635) and Capital Region Housing Supply (N = 135,736)



Sources: 2014 Facility Count (GVCEH), BC Housing (2015), Canada Mortgage and Housing Corporation (2014), and 2011 National Household Survey, Statistics Canada



## Income Groups

Income categories used for this analysis are presented in the table below. According to the 2011 National Household Survey, there are 160,635 households in the capital region. The before-tax median household income for the capital region is \$60,796. Table 1 below presents income amounts relative to the median household income, and to the National Household Survey income groups.

Table 1: Income Groups by Type of Housing

Income Categories <sup>iv</sup>	Definition <sup>v</sup>	Type of Housing required based on income categories	Approximate Number of Households	% of total
Little to no income	Households with annual incomes below \$14,999. These households either have no income or receive some level of income assistance.  NHS = < \$14,999	Emergency shelters: Overnight Shelters, EWP mats, Safe Houses Transitional and Supportive Housing, Transition Houses	13,095	8.2%
Low income	Households with a before tax annual household that is between 50% of the median income for the region, \$30,389 and \$15,000  NHS = \$15,000 to \$29,999	Social Housing – Subsidized rental housing for families, seniors and persons with disabilities	22,590	14.1%
Low to moderate income	Households with a before tax annual income between 50% and 80% of the median household income for the region.  \$30,389 to \$48,637 NHS = \$30,000 to \$49,999	Subsidized rental, Rental Assistance Program (RAP), Rent Supplements, Affordable Non-Market	29,970	18.7%
Moderate income	Households with a before-tax annual income between 80% and the actual median before tax median household income for the region.  \$48,637 to \$60,796 NHS = \$50,000 to \$59,999	Subsidized rental, Affordable Non-Market Rental, affordable market rental	13,530	8.4%

Moderate to above moderate income	Households with a before-tax annual income between the regional median household and 120% of the median household income.  \$60,796 to \$72,955 NHS = \$60,000 to \$79,999	Affordable Non-Market Rental, affordable market rental, Mid to high Market rental and secondary suites	23,295	14.5%
Above moderate income to high income	Households with a before-tax annual income between 120% and 150% of the median household income for the region.  \$72,955 to \$91,194 NHS = \$80,000 to \$99,999	High Market Rental (Rental Condos) and Affordable Homeownership (small units)	18,125	11.3%
High income	Households with an annual before-tax income of 150% and above the median household income for the region.  \$91,194 < NHS = \$100,000 +<	Affordable Home Ownership to Market Home Ownership – Single detached homes, semi-detached homes, row houses	40,025	24.9%

Because of the way Statistics Canada presents household income in specific groupings, the number of households that fall into the income categories here are based on how the categories best fit therefore, there is overlap and does not present an entirely accurate count. The National Household Survey income ranges are indicated for the income category above. In addition, it is difficult to make the income categories and corresponding housing categories mutually exclusive and thus accurately align.

## Housing Supply

The estimated housing supply, used for this analysis, in the Capital Region by housing type is presented below in Table 2. Housing supply is difficult to determine with accuracy because of various ways housing units are measured for any given housing type, market ownership in particular is challenging to determine because Statistics Canada does not present the number of housing types by estimated value of the dwelling. Thus, the term approximate total is used, which is 136,016. For the purposes of this analysis, it is assumed that if a household falls into the high-income category, the household is a home owning household.

Table 2: Income Groups by Approximate Number of Housing Units

Income Categories <sup>vi</sup>	Type of Housing on the Housing Continuum by price range/median price/average price	Approximate # of Units	Approximate Total	% of Total
Little to no income	Emergency shelters: Overnight Shelters, EWP mats, Safe Houses Transitional and Supportive Housing, Transition Houses  BC Housing Homeless Housed and Homeless Rent Supplements	Emergency Shelter Units = 363 Transitional Units = 146 BC Housing Units = 970  <i>Source: 2014 Facility Count, GVCEH; BC Housing, 2015</i>	1,479	1.1%
Low income	Subsidized rental housing for low-income families, frail and independent seniors, and persons with special needs	6,710  <i>Source: BC Housing, 2015</i>	6,710	4.9%
Low to moderate income	Rental Assistance Program (RAP), Shelter Aid for Elderly Renters (SAFER), Rent Supplements, Affordable Non-Market	2,530  <i>Source: BC Housing, 2015</i>	2,530	1.1%



Moderate income	Affordable Non-Market Rental, affordable market rental	Market rental Apartment and Row Units < \$700 = 1,962 \$800 - \$899 = 6,967  <i>Source: CMHC, 2014</i>	8,929	6.6%
Moderate to above moderate income	Mid to high Market rental and secondary suites	Apartment and Row Rental Units \$900 - \$999 = 3,768 \$1100 + =4,546  <i>Source: CMHC, 2014</i>	8,314	6.1%
Above moderate income to high income	High Market Rental (Rental Condos) and Affordable Homeownership (small units)  Average Rental Condo (CMHC, 2014) = \$  Affordable Homeownership (NHS, 2011) low-rise apartment = (\$300,651) high-rise apartment (\$399,636)	Rental Condominiums (CMHC, 2014) = 4,929  Affordable Ownership # units by structure type apartment (NHS, 2011) = 16,695	21,624	15.9%
High income	Affordable Home Ownership to Market Home Ownership – Single detached homes, semi-detached homes, row houses  Median House Prices (NHS, 2011) <ul style="list-style-type: none"> <li>single-detached (\$599,153)</li> <li>semi-detached (\$449,941),</li> <li>row/townhouse (\$409,631)</li> </ul>	# units by structural type:  Single-detached (62,575)  Other ground-oriented (24,855)  <i>Source: NHS, 2011</i>	87,430	64.4%

# Data Book Executive Summary

The information presented in this executive summary characterize the key findings included in the Capital Region Data Book. For a more in-depth analysis and data presentation, see the Capital Region Data Book.

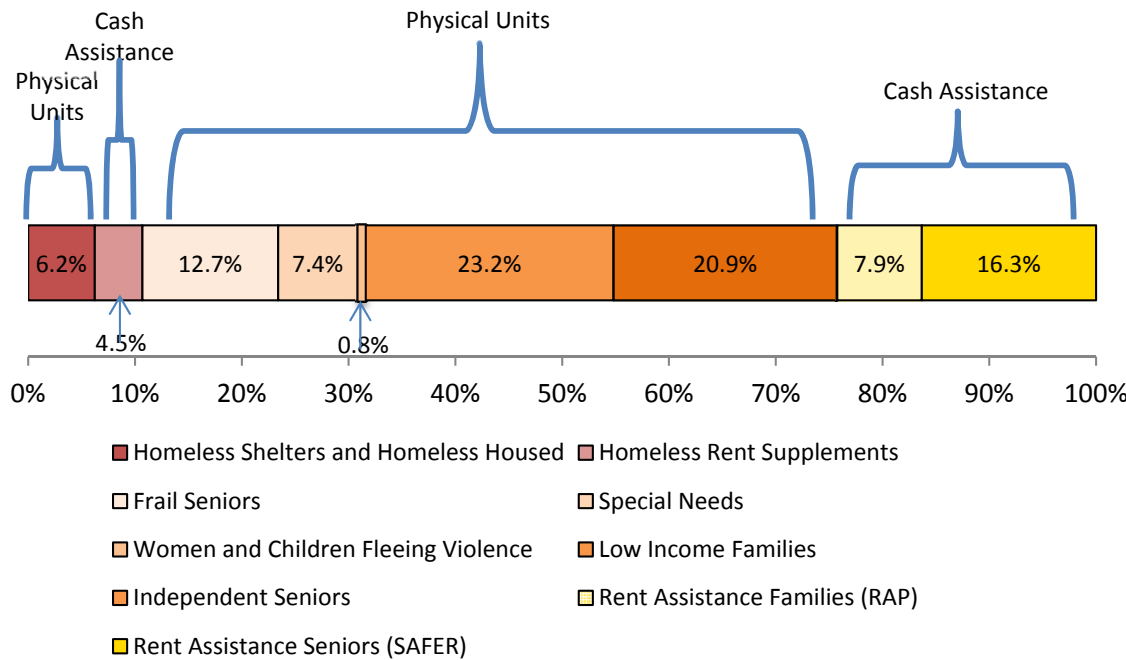
## Emergency Shelters

Emergency shelters in the Capital Region provide temporary shelter for people experiencing homelessness. According the 2014 Greater Victoria Coalition to End Homelessness Facility Count, on one night in February, 2014, there were 1,089 individuals enumerated in 87 facilities, and 78 people were turned away from a facility. In total, 1,167 individuals were enumerated.

Among those enumerated there were 70 families including 116 children. Of the 87 facilities numerated, 56 of these facilities are located in the City of Victoria. The extreme weather facilities and emergency shelters were operating at 90% to 92% capacity on the night of the count.<sup>vii</sup>

Over the year 2013/2014, there were 1,785 unique shelter users, which is consistent with previous years.<sup>viii</sup>

Graph 2: Non-market social housing units along the continuum



Source: BC Housing

## Social Housing

**BC Housing Waitlist:** BC Housing tracks data on all households that have applied for social housing administered by BC Housing. Applicants are placed on a waitlist until social housing is provided. The waitlist indicates the need for affordable housing, but does not accurately measure affordable housing demand. It is important to note that low-income families, who are eligible for the Rental Assistance Program (RAP), are not considered on the waitlist but may experience delays in receiving the RAP due to administrative processes.

There were 1,239 households on the BC Housing waitlist for social housing in the Capital Region in 2015. Over half (51%) or 636 applicants were in the City of Victoria, followed by 271 applicants in Saanich (22%), and 149 applicants in Esquimalt (12%). Applicants who were seniors accounted for 40% of the BC Housing social housing waitlist.

Approximately 4% or 467 units have rent supplements (cash assistance) and 24% or 2,524 units have subsidy agreements with the federal or provincial governments. The subsidies are intended to help make private market rents affordable for seniors with low to moderate incomes and low-income families.

There are 98 social housing units' agreements expiring in the 2015/2016 fiscal year, and 1021 units' agreements are set to expire over the next 5 fiscal years (2016-2021) accounting for almost 25% or 1 in 4 of the total BC Housing-administered social housing agreements. 1118 are set to expire between 2021-2026 for a total of 50% of all social housing units for independent families and seniors over the next ten years.

## Rental Housing Market

**Rent Increases:** According to the Canada Mortgage and Housing Corporation (Fall, 2014), average rents have increased by 30.4% in the past ten years in the region (2005 to 2014), which is an average annual increase of 3.2%. This rate of increase is higher than inflation during this time period, which was 17.3%, an average increase of 1.2% annually.



**Vacancy Rates:** Vacancy rates, particularly for units considered more affordable in the rental market, are experiencing very low rates not seen in the capital region since 2007/2008. For the 23,866 purpose built rental apartment units in the Victoria CMA, the average vacancy rate for 2014<sup>ix</sup> was 1.5% which indicates an unbalanced rental market.

## Home Ownership

**High Median Home Values:** Expanding the supply of affordable housing may support entry-level home ownership for households in the capital region. Second to Metro Vancouver the Victoria CMA reported consistently higher median home values in 2011 than other Canadian CMAs.

High median home values in 2011 made entry-level homeownership especially challenging for households in the Victoria CMA. At \$599,597 single-detached dwellings in the Victoria CMA were nearly \$100,000 more than such dwellings in Toronto (2011) and \$350,000 more than those in Halifax (2011).<sup>x</sup>

## Shelter Cost to Income Ratio

The Shelter Cost to Income Ratio refers to the proportion of average monthly 2010 total household income, which is spent on owner's major payments (in the case of owner-occupied dwellings) or on gross rent (in the case of tenant -occupied dwellings) (Statistics Canada). This ratio is used to estimate housing affordability.

In 2011, there were 48,863 households in housing need (spending 30% or more of the total household income on shelter costs) in the capital region representing 31% of the total 157,700 households in the region. Nearly half (47%) of all renter households demonstrated affordable housing need compared to only a quarter (23%) of all owner households.

The proportion of all households spending more than 30% of household income on shelter costs varied across municipalities ranging from a low of 17% in the Highlands to a high of 40% in the City of Victoria in 2011.

## Comments, Limitations and Recommendations for Future Gap Analyses

This gap analysis is the first attempt at developing a visual representation of the housing gaps in the capital region based on income and supply. As such, there is much room for improvement.

Additional work is required to have a more accurate estimate of units for homelessness programs. For this analysis, BC Housing programs for homeless housed and homelessness rent supplements were combined with emergency shelter data collected through the 2014 Facility Count. The degree of overlap across these categories and programs is difficult to determine at the time of the analysis. Further iterations of the gap analysis will need to take this into account and adjust the analysis accordingly.

Further work needs to be done determining the supply of home ownership in the region. This current analysis was based on National Household Survey data and CMHC data, which is challenging because it is impossible to determine if some units are double counted. Further discussion and analysis should inform future iterations.

According to NHS data, there are owner households that fall into the lower income categories. This could be because they own their home outright and live off of a pension income, among other reasons. For the purposes of this current analysis home ownership was assumed for higher income levels. This was based on the observation that the median income for owner households was \$76,711, more than \$15,000/year more than the median income for the region as a whole, which was \$60,796 in 2010.

## ENDNOTES

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<sup>i</sup> For more information on the Metro Vancouver Housing Data Book: <http://www.metrovancouver.org/services/regional-planning/>

<sup>ii</sup> Specific data is not always available for Electoral Areas because of size and response rate. Data is often suppressed to protect identities and maintain privacy as per the guidelines for each data source.

<sup>iii</sup> This analysis is modeled after a gap analysis conducted by the City of Kelowna, and was modified for available data.

<sup>iv</sup> The income categories were reorganized slightly from those presented in the Capital Region Housing Data Book to address the income thresholds for subsidized and below-market rental options modeled on the income thresholds used by the Capital Region Housing Corporation.

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<sup>v</sup> The definitions presented here are based on the definitions used in the Metro Vancouver Housing Data Book, which in turn were adapted and used for the Capital Region Housing Data Book (pages 18 -19).

<sup>vi</sup> The income categories were reorganized slightly from those presented in the Capital Region Housing Data Book to address the income thresholds for subsidized and below-market rental options modeled on the income thresholds used by the Capital Region Housing Corporation.

<sup>vii</sup> Albert, et al. (2014) One Night Only: A report of those staying in temporary accommodation in Greater Victoria, Facility Count 2014. Victoria: Greater Victoria Coalition to End Homelessness

<sup>viii</sup> Rabinovitch, et al. (2014). Patterns of Homelessness in Greater Victoria. Victoria: Greater Victoria Coalition to End Homelessness. Available online: <http://victoriahomelessness.ca/wp-content/uploads/2014/09/PatternsofHomelessnessFINAL.pdf>

<sup>ix</sup> This is based on the CMHC Fall 2014 Rental Market Report.

<sup>x</sup> The relatively high shelter costs to household income ratios for some households may have resulted from the difference in the reference period for shelter costs and household total income data. The reference period for shelter cost data is 2011, while household total income is reported for the year 2010. As well, for some households, the 2010 household total income may represent income for only part of a year (Statistics Canada).



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Glossary

# Glossary

[A](#) | [B](#) | [C](#) | [D](#) | [E](#) | [F](#) | [G](#) | [H](#) | [I](#) | [J](#) | [K](#) | [L](#) | [M](#) | [N](#) | [O](#) | [P](#) | [Q](#) | [R](#) | [S](#) | [T](#) | [U](#) | [V](#) | [W](#) | [X](#) | [Y](#) | [Z](#)

## A

**Affordable (housing):** Housing is considered affordable when 30 per cent or less of your household's gross income goes towards paying for your housing costs.

**Applicant:** A person who is applying for a program, service or benefit with BC Housing.

**Assets:** A financial investment that you can convert into cash if you have to.

**Assisted Living:** A type of housing for seniors and people with disabilities that includes on-site hospitality and personal-care support services.

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Accept

Decline

**Benefit:** A payment from the B.C. government to applicants who have been approved to receive assistance with housing.

## C

**Canada Mortgage and Housing Corporation (CMHC):** CMHC is an organization owned and operated by the Canadian government to help renters, buyers and industries with housing.

**Canada Revenue Agency (CRA):** CRA is a branch of the Canadian government that processes income, benefits and programs related to tax.

**Co-operative housing:** A co-op is a type of housing that residents own and operate as part of a membership.

**Couple:** Two people in a married, common-law or marriage-like relationship.

## D

**Declaration of Work Completed:** A written statement by a tradesperson that attests that the task they were contracted to do is satisfactorily complete according to agreed-upon requirements.

**Dependent child:** An unmarried child, stepchild, adopted child or legal ward, mainly supported by the applicant, who is:

- Under 19 years of age; or
- Under 25 years of age and registered in full-time school, university or vocational institute which provides a recognized diploma, certificate, or degree; or
- Of any age who, because of mental or physical infirmity, is accepted as a dependent for income tax purposes.

**Please note:** In The Housing Registry, some providers may have different criteria about what constitutes a dependent child.

**Directly managed (housing):** Social housing properties that BC Housing manages day-to-day.

**Disability:** A severe and prolonged impairment in physical or mental functions.

**Disability pension:** Financial assistance that the B.C. government offers to a person who is considered disabled for income tax purposes by the Government of Canada.

**Disabled for income tax purposes:** A definition of disability that BC Housing uses to specify who is eligible for housing programs and services. May include seniors.

## E

**Emergency shelter:** Immediate, short-stay housing for people who are homeless or at risk of becoming homeless.

## F

**Family:** See household, core

**Fixed rate rent:** A monthly rent amount that a housing provider sets for a unit. The amount does not change during a tenancy.

**Forgivable loan:** A grant with conditions. A type of loan that, if specified conditions are met, does not need to be repaid.

**Fraser Valley:** The Fraser Valley may include Burnaby, Surrey, White Rock, Coquitlam and communities as far east as Boston Bar and Hope.

## G

**Group homes:** A type of housing with supports for people with special needs such as severe mental and physical disabilities.

## H

**High-barrier shelter:** An emergency shelter that has a number of requirements for entry, for example sobriety.

**Home value limit (for HAFI):** A maximum property value that your home can be in relation to the average value in your area.

**Homeless rent supplements:** A type of rent supplement that BC Housing provides to people who are homeless or at risk of homelessness.

**Homeless, at risk of homelessness:** You are an individual or family that does not have a permanent address or residence.



**Household (core):** A core household is an applicant, spouse (if applicable) and dependent children.

**Housing Income Limits:** Dollar amounts that represent the maximum annual income, before taxes, that a household can earn for suitable housing in their location.

**Housing Listings:** A searchable online list of affordable and subsidized housing buildings in British Columbia.

**Housing Needs Categories:**

1. Applicants facing a severe risk to health and/or safety, such as homelessness or living in a homeless shelter
2. Applicants with serious health/medical/social needs, such as risk of homelessness, fleeing domestic abuse, living in severely inadequate housing or transitioning to a more independent living situation
3. Applicants whose housing need is moderate compared with the two previous categories, such as living in temporary or inadequate accommodation
4. Applicants with a specialized housing need or low housing need, such as living in marginally crowded housing
5. Applicants for the low-end market units found in some subsidized buildings

**Housing provider:** An organization, society, developer or other BC Housing partner that operates places to live for renters with low incomes.

**The Housing Registry:** A database that gives access to subsidized housing for renters and housing providers in British Columbia.

**Housing with supports:** Housing that includes on-site services such meals, housekeeping, health care, counselling and others.

## I

**Income:** Payments you receive from work, social assistance, pensions, interest, assets and other earnings.

**Income assistance:** Social assistance, social security or another form of payment that the provincial or federal government provides to people in need who don't have any other resources.

**Independent:** An ability to maintain personal health, safety, tenancy requirements and other obligations in housing.

**Independent Living:** A type of housing program for seniors and people with disabilities that includes on-site hospitality and personal-care support services.

## J

## K

## L

**LGBT2Q+:** An evolving acronym for lesbian, gay, bisexual, trans, two-spirit, queer, and additional identities.

**Low-barrier shelter:** see Minimal-barrier shelter.

**Low income:** Household earnings in relation to housing. BC Housing uses different ways to describe low income, depending on the program or service it relates to.

**Lower Mainland:** An urban region concentrated in southwest British Columbia.

**Lower-end-of-market housing:** A type of housing where the housing provider calculates rent according to rental market conditions.

**Low and Moderate Income Limits:**

- a. For residential units with less than two (2) bedrooms, a gross household income that does not exceed the median income for families without children in B.C., as determined by BC Housing from time to time based on data provided by Statistics Canada. **For 2018, this figure is \$71,200.**
- b. For residential units with two (2) or more bedrooms, a gross household income that does not exceed the median income for families with children in B.C., as determined by BC Housing from time to time based on data provided by Statistics Canada. **For 2018, this figure is \$104,440.**

## M

**Market rent:** A rent amount that is generally similar to the rent of other units in the private (non-subsidized) housing market.

**Metro Vancouver:** An urban region concentrated in southwest British Columbia.

**Middle Income Limits:**

- a. Units with less than two (2) bedrooms: Middle-income households are those whose gross household income does not exceed the 75th income percentile for families without children, as determined by BC Housing from time to time based on data provided by Statistics Canada. **For 2018, this figure is \$111,750.**
- b. Units with two (2) or more bedrooms: Middle-income households are those whose gross household income does not exceed the 75th income percentile for families with children, as determined by BC Housing from time to time based on data provided by Statistics Canada. **For 2018, this figure is \$152,870.**

**Minimal-barrier shelter:** An emergency shelter that has few requirements for entry.

## N

**National Occupancy Standards:** A guideline that BC Housing uses to determine what size housing unit a single person, couple or family qualifies for.

**Non-profit housing:** A housing development that a community-based, non-profit housing partner owns and operates.

## O

## P

**Permanent resident:** A type of residency requirement for housing. You were born outside Canada, but have documentation that proves you have permission to live and work in Canada with no time limit on your stay.

**Priority Placement Program:** A program that gives women who have experienced violence priority access to BC Housing's directly managed units.

**Public housing:** A housing development that the government or a non-profit housing partner owns and operates.

## Q

## R



**Reference:** A person who can verify your identity, information and suitability as a tenant.

**Rent Affordability Limits (PDF reference):** A maximum rent value that your property can be, in relation to the average rents in your area.

**Rent geared to income:** A type of subsidized housing where the housing provider matches your rent to how much income you earn.

**Rental Assistance Program:** A type of rent supplement program that BC Housing offers to eligible low-income families.

**Residency requirements:** You and your family must permanently live in Canada with proof of citizenship, permanent residency or government-sponsored refugee status.

## S

**Safe homes:** A type of temporary housing for women and children fleeing violence, where a transition house is not available in the community.

**Second-stage housing:** Second-stage housing is housing for women and children fleeing violence who have completed a stay in a transition house or safe home. Stays can be up to 18 months.

**Senior:** An adult aged 55 years or older. BC Housing programs, partners and housing providers may define a senior by a different age.

**Seniors Supportive Housing:** A type of housing for seniors and people with disabilities that includes on-site hospitality but not personal-care support services.

**Service provider:** An individual, group or organization that helps with a person's needs related to health and housing.

**Sharer:** A renter who occupies the same residence as the members of your core household, but is included in the tenancy you have with your landlord.

**Shelter Aid For Elderly Renters:** A type of rent supplement program that BC Housing offers to eligible low-income older adults and people with disabilities.

**Single-room-occupancy hotel:** A type of housing, typically a single room in a building with shared bathrooms and kitchens.

**Social housing:** A housing development that the government or a non-profit housing partner owns and operates.

**Spouse:** A husband or wife through marriage, a common-law partner or the person with whom the applicant is living with in a marriage-like relationship.

**Subsidized housing:** A type of housing for which the provincial government provides financial support or rent assistance.

**Supporting document:** Specific documents that BC Housing requires to verify your information or eligibility for a program or service.

**Supportive housing:** A type of housing that provides on-site supports and services to residents who cannot live independently.

**Supports:** housing with supports.

## T

**Transition houses:** A type of temporary housing for women and children fleeing violence. A safe, anonymous place to stay with food, staff and services.

**Transitional housing:** A type of housing for residents for between 30 days and three years. It aims to transition individuals to long-term, permanent housing.

## U

## V

**Void cheque:** A blank, personalized cheque from your own bank account that you've written the word VOID across the front of.

## W

**Women's Transition House and Supports Program:** A type of program that provides housing and support services for women and their dependent children who are fleeing violence. The program includes safe homes, transition houses and second-stage housing.

## X

Y

Z

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- Housing Assistance
  - Partner Services
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- 

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**Council Member Motion  
For the Committee of the Whole Meeting of November 22, 2018**

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**To:** Committee of the Whole **Date:** November 15, 2018  
**From:** Councillors Alto and Thornton-Joe  
**Subject:** Frontage Improvements at 149 Montreal Street, James Bay Child Care Society

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**Background:**

In 2014, the James Bay Child Care Society (JBCCS) began an application to expand the number of child care spaces offered at its location at 149 Montreal Street. Following the steps of a rezoning process, their application was considered at a Public Hearing on April 27, 2017, where it was approved.

Recently, JBCCS submitted its building permit package, now being ready to begin construction. Upon receipt of their documents, staff advised JBCCS that the application could not be processed until JBCCS agreed to provide frontage improvements for the property.

At various times throughout the process, JBCCS noted that, as a non-profit society and a legally registered charity building childcare places with the support of a provincial grant, it was unable to pay for frontage improvements, estimated to cost between \$40,000 and \$70,000. JBCCS continued to assert their incapacity to pay, which was repeated in correspondence included in the Council agenda when the rezoning was considered.

Most recently JBCCS engaged with staff in Transportation Planning, who continue to properly advise that there are required frontage improvements (curb, gutter and sidewalk) on the Dobinson street frontage, and curb and gutter on the laneway frontage of this property, consistent with the Subdivision and Development Servicing Bylaw.

Staff do not have authority to exempt JBCCS from the requirement for frontage improvements – to be exempted, JBCCS would require Development Variance Permit approval from Council, another costly process which is beyond the means of JBCCS.

JBCCS did not include frontage improvements in their plans. Their final approved zoning, and associated design covenant including final site plan, do not show frontage improvements.

While Council required a covenant to restrict hours of operation and limit after hours use, frontage improvements were not identified as an issue during the public hearing. (Minutes attached). There was also no formal direction from Council to vary the requirement for frontage works.

Pedestrian improvement measures are part of regular City plans and processes. These infrastructure requirements increase safety and protect facility users and neighbours when they interact with property frontage.

JBCCS has no capacity to pay for these frontage improvements. JBCCS has sought additional funding for such costs from their primary funder, the province, such request being denied. JBCCS has stated that it will not be able to proceed with providing these child care spaces should the City require JBCCS to pay for the identified frontage improvements.

Acknowledging that (1) child care remains a priority for the City, (2) frontage improvements are necessary for this property, and (3) JBCCS has no ability to pay for such improvements, the City may wish to consider undertaking the required improvements.

## **Motion(s)**

### **Option One**

That the City of Victoria undertake construction of the frontage improvements required for the rezoning application approved at 149 Montreal Street, and that the costs of such improvements be paid by the City from the remaining 2018 budget surplus, to a maximum of \$70,000.

### **Option Two**

That the City of Victoria undertake construction of the frontage improvements required for the rezoning application approved at 149 Montreal Street, subject to the JBCCS entering into an agreement to repay 50% of the costs for frontage improvements, to a maximum of \$35,000, over a period of ten years.

Respectfully submitted,



Councillor Alto



Councillor Thornton-Joe

## **Attachments**

Attachment A: April 27, 2017 Public Hearing Minutes

Attachment B: Council Report April 13, 2017

Attachment C: Council Report January 26, 2017

Attachment D Council Report October 16, 2014

Attachment E Zoning Bylaw 17-015 149 Montreal St



**PUBLIC AND STATUTORY HEARINGS**

**3. Rezoning Application No. 00458 for 149 Montreal Street**

**1. Public Hearing**

**Rezoning Application No. 00458**

To amend the Zoning Regulation Bylaw for the R1-8 Zone, Montreal Day Care District, relating to the lands known as 149 Montreal Street to add as a permitted use a day care that accommodates not more than 32 children and adding regulations relating to floor area, building height, setbacks and parking.

Existing Zone: R1-8 Zone, Montreal Day Care District

Legal Description: Lot 1, Section 25, Beckley Farm, Victoria City, Plan 5275

Leanne Taylor (Senior Planner): *Advised that the application is to allow for the proposal of a daycare building.*

*Mayor Helps opened the public hearing at 7:13 p.m.*

Rosalie Chartrand-Rodrigue (James Bay Child Care Society Expansion Chair): Provided information regarding the application by outlining the purpose of their non-profit group, the building design, and parking concern mitigation that has been undertaken.

*Council discussed the following:*

- *The possibility of having a covenant placed on the property, limiting the hours of operation.*
- *The limited level of consultation that has occurred between the applicant and neighbours.*

Nicholas Read (Montreal Street): Expressed concerns relating to the application, as the number of children allowed in a residential neighbourhood should be limited to mitigate neighbourhood impacts.

*Councillor Coleman joined the meeting at 7:42 p.m.*

Enid Elliot (Menzie's Street): Expressed support for the application, as there is a need for daycares in the James Bay neighbourhood.

Tim Thielmann (Berwick Street): Expressed support for the application, as there is a need for daycares in the James Bay neighbourhood.

Nicole Little (Niagara Street): Expressed concerns relating to the application, due to issues with increased traffic and increased density in the James Bay neighbourhood.

Caren Zilber-Shlensky (Wildwood Avenue): Expressed support for the application, as there is a need for daycares in the James Bay Neighbourhood.

Caitlyn Lemiski (Balmoral Road): Expressed support for the application, and advised that as the new president of the James Bay Child Care Society, further consultation with neighbours will be undertaken.

Deanne Loubardeas (Niagara Street): Expressed concerns relating to the application, due to issues with increased density in the James Bay neighbourhood and the negative impact on neighbours.

Chante Davis (Lewis Street): Expressed support for the application, as there is a need for daycares in the James Bay neighbourhood.

Peter Brown (Montreal Street): Expressed concerns relating to the application, as it will negatively impact the neighbours.

Sandy Bannikoff (St. Lawrence Street): Expressed concerns relating to the application, as it will create traffic congestion.

Alanna Dixon (Dallas Road): Expressed support for the application, as there is a need for daycares in the James Bay neighbourhood.

Lindsay Surly (Michigan Street): Expressed support for the application, as there is a need for daycares in the James Bay neighbourhood.

*Councillor Lucas withdrew from the meeting at 8:20 p.m. and returned at 8:23 p.m.*

Lincoln Shlensky (Wildwood Avenue): Expressed support for the application, as there is a need for daycares in the James Bay neighbourhood.

Thomas Maler (Ladysmith Street): Expressed concerns relating to the application, due to parking concerns and as it will negatively impact the neighbours.

Roberta Turton (Simcoe Street): Expressed support for the application, as there is a need for daycares in the James Bay neighbourhood.

Danielle Davis (Davie Street): Expressed support for the application, as there is a need for daycares in the City of Victoria.

Melissa Dubois (Inverness Road): Expressed support for the application, as there is a need for daycares in the City of Victoria.

Kelsey O'Romey (Bay Street): Expressed support for the application, as there is a need for daycares in the City of Victoria.

Beth Collins (Berwick Street): Expressed support for the application, as there is a need for daycares in the James Bay neighbourhood.

Richard Martin (Simcoe Street): Expressed concerns relating to the application, as it will negatively impact the neighbours.

Lindsay Robertson (Niagara Street): Expressed support for the application, as there is a need for densification and daycares in the James Bay neighbourhood.

Jamal Hammoud (North Park Street): Expressed support for the application, as there is a need for daycares in the City of Victoria.

*Council discussed the following:*

- *Whether a covenant to restrict hours of the daycare operation would be viable.*

*Councillor Loveday withdrew from the meeting at 8:53 p.m. and returned at 8:54 p.m.*

- *Whether reducing the number of children would make the application more supportable and would be feasible for the applicant.*

*Councillor Isitt withdrew from the meeting at 9:01 p.m. and returned at 9:03 p.m.*

*Mayor Helps closed the public hearing at 9:03 p.m.*

*Council recessed from 9:03 p.m. to 9:11 p.m.*

## 2. **Bylaw Approval**

### **Motion:**

It was moved by Mayor Helps, seconded by Councillor Isitt, that the following bylaw be given third reading:

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1071) No. 17-015*

### **Amendment:**

It was moved by Councillor Isitt, seconded by Mayor Helps, that the motion be amended by adding the following:

**Subject to registration of a covenant on title restricting child-care operations to 7:00 am - 6:00 pm from Mondays to Fridays, while permitting Board Meetings and janitorial work outside these hours, and permitting no more than two special events per month outside these hours.**

**On the amendment:**  
**Carried Unanimously**

*Council discussed the following:*

- *Whether restricting the hours of child-care operations mitigates the impact on neighbours, while allowing for an increase in daycare facilities in the James Bay neighbourhood.*
- *The impact that 32 children may have on the residential neighbourhood.*
- *How parking and traffic concerns could be mitigated.*

### **Main motion as amended:**

That the following bylaw be given third reading:

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1071) No. 17-015*

Subject to registration of a covenant on title restricting child-care operations to 7:00 am - 6:00 pm from Mondays to Fridays, while permitting Board Meetings and janitorial work outside these hours, and permitting no more than two special events per month outside these hours.

**On the main motion as amended:**  
**Carried Unanimously**

*Final adoption of Zoning Regulation Bylaw, Amendment Bylaw (No. 1071) No. 17-015, pending execution of legal document.*

**BYLAWS****1. FIRST READING****a. Rezoning Application No. 00458 for 149 Montreal Street****Motion:**

It was moved by Mayor Helps, seconded by Councillor Isitt, that the following bylaw **be given first reading:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1071) No. 17-015*

**Carried**

**For:** Mayor Helps, Councillors Alto, Isitt, and Loveday  
**Opposed:** Councillors Lucas, Madoff, and Thornton-Joe

**2. SECOND READING****a. Rezoning Application No. 00458 for 149 Montreal Street****Motion:**

It was moved by Councillor Madoff, seconded by Councillor Alto, that the following bylaw **be given second reading:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1071) No. 17-015*

**Carried**

**For:** Mayor Helps, Councillors Alto, Isitt, and Loveday  
**Opposed:** Councillors Lucas, Madoff, and Thornton-Joe





## Council Report

For the Meeting of April 13, 2017

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**To:** Council **Date:** March 13, 2017  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Rezoning Application No. 00458 for 149 Montreal Street

---

### RECOMMENDATION

That Council give first and second reading of Bylaw No. 17-015 for Rezoning Application No. 00458 for 149 Montreal Street and a Public Hearing be set.

### EXECUTIVE SUMMARY

The purpose of this report is to update Council regarding additional information requested by Council in relation to the Rezoning Application for 149 Montreal Street. In accordance with Council's amended motion of January 26, 2017 (attached) directing staff to "explore with the applicant the possibility of a Section 219 Covenant to restrict the hours and days of operation from Monday to Friday, 7:00 a.m. to 6:00 p.m." the James Bay Child Care Society, in correspondence dated February 28, 2017 (attached), has indicated they are "not interested in agreeing to these limitations at this time."

At this same Council meeting, Council requested that staff ensure "the applicants have accurate information regarding the number of child care facilities in the City of Victoria." To respond to this, staff have prepared a table based on the information presented by the applicant in their original submission with clarified information provided in the shaded cells; in some instances, the City has no formal record of a daycare's existence (e.g. no business license and/or no information on historical building records) so no update has been provided.

### CONCLUSIONS

Given that the applicant has satisfied all conditions set to advance to a Public Hearing, staff recommend for Council's consideration that the Bylaw No. 17-015 be given first and second reading and a Public Hearing date be set.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'A. Meyer'.

Alison Meyer, Assistant Director  
Development Services Division

A handwritten signature in black ink, appearing to read 'J. Tinney'.

Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

A handwritten signature in black ink, appearing to be a stylized 'W' or 'M'.

Date:

March 23, 2017

**List of Attachments:**

- January 26, 17 Council Motion
- Correspondence dated February 28, 2017 from the James Bay Child Care Society
- Childcare Facilities in Victoria – Clarified Information

### **UNFINISHED BUSINESS**

3. **Rezoning Application No. 00458 for 149 Montreal Street – Application Ready to Proceed to Public Hearing**

Council received a report dated January 12, 2017 from the Director of Sustainable Planning and Community Development, providing an update on the application and recommending first and second reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1071) No. 17-015.

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council give first and second reading of Zoning Regulation Bylaw Amendment (Bylaw No. 17-015) and direct staff to set a Public Hearing date for Rezoning Application No. 00458 for 149 Montreal Street.

**Motion to refer:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that the motion be referred back to the next Committee of the Whole meeting for clarification.

**On the motion to refer:**  
**Carried Unanimously**

To: Alison Meyer  
Assistant Director  
Development Services  
City of Victoria  
250.361.0293  
[ameyer@victoria.ca](mailto:ameyer@victoria.ca)

February 28, 2017

Dear Ms. Meyer,

I write further to our telephone discussion last week in which you advised me that Council had directed you to inquire with us, the James Bay Child Care Society, (the "Society") whether we would agree to limitations on the hours and days of the week in which we could operate the Infant Plus daycare and other business of the Society. I note you asked us this in the context of a rezoning application we have before Council.

After careful consideration and consultation with our lawyer, we have decided that we would not be interested in agreeing to these limitations at this time. We note that s. 6 of the Victoria nuisance bylaw already includes effective regulations regarding hours of operation, and the Society will certainly respect this. We would like to proceed to a public hearing before Council on our rezoning application. We understand that we are tentatively scheduled to present our plan at a public hearing before Council on April 27, 2017.

On behalf of the Society, thank you for enquiring with us regarding this matter, and we look forward to continued discussions with you and your department, as well as Council, regarding our rezoning application.

Sincerely,



Caitlin Lemiski,  
President,  
James Bay Child Care Society  
[Caitlin.lemiski@gmail.com](mailto:Caitlin.lemiski@gmail.com)

Copy to: Wendy Lowe, Director, Infant Plus Child Care (Operated by the James Bay Child Care Society) [infantplus@shaw.ca](mailto:infantplus@shaw.ca)



### Childcare Facilities in Victoria – Clarified Information Provided in Shaded Cells

Childcare Facility Name	Address	Number of Childcare Spaces	Off-Street Parking	Comments	Zoning
Castlevue Child Care Centre	1075 Joan Cres	40	0	- existing Nursery School - existing legal non-conforming parking	R1-A
Christ Church Cathedral Childcare	520 Niagara St	n/a	1	- use changed to SFD with secondary suite	R-2
Christ Church Cathedral Childcare	1670 Richardson St	40	7	- not included in applicant's submission - rezoned from R1-B to R1-36 in 2014 to permit childcare - converted from single family dwelling to childcare (kindergarten)	R1-36
Little Hands Child Care	1303 Fairfield Rd	10** unconfirmed	0	- existing Church and Hall - existing legal non-conforming parking	R1-B
Springridge	1222 Gladstone Ave	8-toddler 21-3-5 yr olds 29-TOTAL	3*	- original SFD converted to daycare in 1982 - *required parking permitted to be located on GVSB owned property 30m west of site, as approved by Council	R-2
Rainbow Express	433 Kingston	32	1	- original SFD converted to daycare in 1975 - existing legal non-conforming parking - parking in side service driveway	R-2
Victoria Children's Centre	1515 Blanshard	12	0	- no City records	CA-4
Freedom Childcare Centre	749 View St	42	0	- commercial building, daycare added in 1995 - no parking required per the zone	CA-4
Cridge Child Care Services	1307 Hillside Ave	114-regular care 75-out of school 189-TOTAL	90-site 18-daycare	- part of Cridge Centre for the Family	R1-26
ABC Infant & Toddler	2700 Scott St	20	1*	- property rezoned and original SFD changed to daycare in 1990 - *1 space to be provided in the internal garage - no parking required for daycare per the zone	R1-SDC
Fernwood NRG	1240 Gladstone Ave	8-infant 8-toddler 25-3-5 yr olds 30-out of school 75-TOTAL	0	- part of community association - existing legal non-conforming parking	R-2
Carousel Child Care Centre	301 Richmond Ave	25	0	- original Church - no parking required for daycare per the zone	R1-DC
Ross Bay Pre-school	1620 Earle St	16	1	- not included in applicant's submission - original SFD converted to daycare (kindergarten) in 2004 - parking variance granted by way of DVP 04-29	R1-G

#### 4.6 Rezoning Application No. 00458 for 149 Montreal Street – Application Ready to Proceed to Public Hearing

Committee received a report that was referred by from the January 26, 2017 Council meeting to Committee of the Whole for further discussion regarding the volume of traffic that would be in the area should the proposal proceed.

Committee discussed:

- The possibility of reducing the number of children able to attend the day care.
- Ways to manage an increased amount of traffic surrounding the property.
- Ways to manage hours of operation.

**Motion:** It was moved by Mayor Helps, seconded by Councillor Loveday, that Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00458 for 149 Montreal Street, subject to:

- a. The submission of revised plans that demonstrate that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*, to the satisfaction of the Director of Sustainable Planning and Community Development.
- b. A Section 219 Covenant to secure the proposed building design being registered on title, to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

**Amendment:** It was moved by Councillor Thornton-Joe, seconded by Mayor Helps, that the motion be amended to include the following:

That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00458 for 149 Montreal Street, subject to:

- a. The submission of revised plans that demonstrate that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*, to the satisfaction of the Director of Sustainable Planning and Community Development.
- b. A Section 219 Covenant to secure the proposed building design being registered on title, to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.
- c. **That staff be directed to explore with the applicant the possibility of Section 219 Covenant to restrict the hours and days of operation from Monday to Friday 7:00 a.m. to 6:00 p.m.**

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

**Main motion as amended:**

That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00458 for 149 Montreal Street, subject to:

- a. The submission of revised plans that demonstrate that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*, to the satisfaction of the Director of Sustainable Planning and Community Development.

- b. A Section 219 Covenant to secure the proposed building design being registered on title, to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.
- c. That staff be directed to explore with the applicant the possibility of Section 219 Covenant to restrict the hours and days of operation from Monday to Friday 7:00 a.m. to 6:00 p.m.

On the main motion as amended:  
CARRIED UNANIMOUSLY 17/COTW

### **UNFINISHED BUSINESS**

3. **Rezoning Application No. 00458 for 149 Montreal Street – Application Ready to Proceed to Public Hearing**

Council received a report dated January 12, 2017 from the Director of Sustainable Planning and Community Development, providing an update on the application and recommending first and second reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1071) No. 17-015.

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council give first and second reading of Zoning Regulation Bylaw Amendment (Bylaw No. 17-015) and direct staff to set a Public Hearing date for Rezoning Application No. 00458 for 149 Montreal Street.

**Motion to refer:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that the motion be referred back to the next Committee of the Whole meeting for clarification.

**On the motion to refer:**  
**Carried Unanimously**





## **Council Report**

### **For the Meeting of January 26, 2017**

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**To:** Council **Date:** January 12, 2017  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Rezoning Application No. 00458 for 149 Montreal Street – Application Ready to Proceed to Public Hearing

---

### **RECOMMENDATION**

That Council give first and second reading of Zoning Regulation Bylaw Amendment (Bylaw No. 17-015) and direct staff to set a Public Hearing date for Rezoning Application No. 00458 for 149 Montreal Street.

### **EXECUTIVE SUMMARY**

The purpose of this report is to inform Council that in accordance with Council's motion of October 23, 2014, the applicant has provided revised plans and has registered a Section 219 Covenant on title to secure the design of the proposed new two-storey daycare facility that will accommodate up to 32 children.

#### **Revised Plans**

In the plans submitted with their Application the applicant indicated that a playhouse and garden shed would be constructed within the rear yard of the property, however, the proposed location of these accessory buildings were not compliant with the setback requirements outlined in Schedule F (Accessory Building Regulations) of the *Zoning Regulation Bylaw*. Therefore, as required by the Council motion, revised plans dated February 17, 2015 (attached) have been submitted demonstrating that the location of the accessory buildings are consistent with the siting requirements of the *Zoning Regulation Bylaw*.

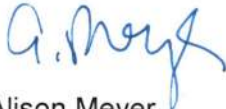
#### **Design Covenant**

The application site is located within Development Permit Area 16: General Form and Character (DPA 16) as defined in the Official Community Plan (OCP). As the proposal does not include a commercial, industrial or multi-residential component, it is exempt from Development Permit requirements; however, in this instance the applicant has designed the proposed daycare to respect the traditional residential context and has submitted detailed plans as part of the Rezoning Application. The applicant also expressed a willingness to enter into a Section 219 Covenant to secure the proposed building design and consistent with the Council motion, this Covenant (attached) has been registered on title.

## CONCLUSIONS

In response to the Council motion dated October 23, 2014, the applicant has provided the required revised plans and has also registered a Section 219 Covenant on title to secure the proposed building design. The recommendation provided for Council's consideration contains the appropriate language to advance this application to a Public Hearing.

Respectfully submitted,



Alison Meyer  
Assistant Director  
Development Services Division



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager



Date:

Jan 19, 2017

## List of Attachments

- PLUC Report dated October 2, 2014
- PLUC Minutes dated October 16, 2014
- Council Minutes dated October 23, 2014
- Revised plans dated February 17, 2015
- Design Covenant
- Correspondence

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## Planning and Land Use Committee Report

### For the meeting of October 16, 2014

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**To:** Planning and Land Use Committee      **Date:** October 2, 2014  
**From:** Jim Handy, Senior Planner – Development Agreements  
**Subject:** **Rezoning Application #00458 for 149 Montreal Street**  
Proposed daycare accommodating up to 32 children

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#### Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application for the property located at 149 Montreal Street. The existing property is currently used as a daycare accommodating up to 15 children. The application proposes to replace the existing building with a new two-storey daycare facility that will accommodate up to 32 children.

The following points were considered while reviewing this proposal:

- The proposal is consistent with the *Official Community Plan (OCP)* and *James Bay Neighbourhood Plan*.
- The proposal is exempt from requiring a Development Permit, however, the applicant has submitted detailed plans demonstrating that the new building design respects the traditional residential context of the neighbourhood. The applicant has also expressed a willingness to register a Section 219 Covenant on title to secure the proposed building design.
- The application does not propose any off-street parking, however, in this instance staff recommend that Council support the proposed parking variance, because of the supporting rationale provided by the applicant and the proposed trip reduction measures.

Staff recommend that Council advance the Rezoning Application to a Public Hearing, subject to the building design being secured by way of a Section 219 Covenant and the submission of revised plans demonstrating that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*.

#### Recommendation

That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00458 for 149 Montreal Street, subject to:

1. The submission of revised plans that demonstrate that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. A Section 219 Covenant to secure the proposed building design being registered on title, to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

Respectfully submitted,


pp C.R. Wain

Jim Handy  
Senior Planner – Development Agreements  
Development Services Division

A. Day

Deb Day, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

  
\_\_\_\_\_  
Jason Johnson

Date: October 9, 2014

JH:aw

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## 1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application for 149 Montreal Street.

## 2.0 Background

### 2.1 Description of Proposal

The application proposes to replace the existing building with a new two-storey daycare facility that will accommodate up to 32 children. The second storey of the building would consist of a pitched roof with shed dormers. Proposed finishing materials include cement board cladding and fibreglass shingles. External areas would be landscaped and primarily used as children's play areas.

#### 2.1.1 Sustainability Features

The applicant has identified a number of green building features in their letter to Mayor and Council (attached) including:

- permeable paving and ground cover
- end-of-trip facilities for staff cycling to work
- low-flow plumbing fixtures and "Power-Smart" appliances specified for water and energy conservation
- windows oriented to optimize natural light.

### 2.2 Existing Site Development and Development Potential

The subject property is located in the R1-8 Zone, Montreal Day Care District, which allows for a single family dwelling or a daycare facility that accommodates up to 15 children.

### 2.3 Data Table

The following data table compares the proposal with the existing R1-8 Zone, Montreal Day Care District. An asterisk is used to identify where the proposal is less stringent than the proposed zone.

Zoning Criteria (Main Building)	Proposal	Zone Standard
Site area (m <sup>2</sup> ) – minimum	503	230
Total floor area (m <sup>2</sup> ) – maximum	300	300
Lot width (m) – minimum	16.51	7.5
Height (m) – maximum	8*	7.6
Site coverage (%) – maximum	38.2	40
Storeys – maximum	2	2

Setbacks (m) – minimum		
Front (Montreal Street)	6.95*	7.5
Rear (east)	9.41	7.62
Side (south)	1.67	1.65
Side (Dobinson Street)	1.34*	3.5
Parking – minimum	Nil*	2 (8 required for new proposal under Schedule C)
Bicycle storage – minimum	6	6
Bicycle rack – minimum	4	3
<b>Zoning Criteria (Accessory Buildings – Playhouse &amp; Garden Shed)</b>	<b>Proposal</b>	<b>Zone Standard</b>
Location	Rear yard	Rear yard
Total floor area (m <sup>2</sup> ) – maximum	7.6 (Garden Shed) 3.61 (Playhouse)	37
Setbacks (m) – minimum		
Rear (east)	0.4*	0.6
Side (Dobinson Street)	0.3*	0.6
Separation space between principal building and accessory buildings (m) – minimum	2.7	2.4
Rear yard site coverage (%) – maximum	7.22	25

## 2.4 Land Use Context

The application site is located on the corner of Montreal Street and Dobinson Street with single-family dwellings situated immediately to the south and west. MacDonald Park is situated to the rear (east) of the property and community gardens are located to the north of the site on the opposite side of Dobinson Street.

## 2.5 Legal Description

Lot 1, Section 25, Beckley Farm, Victoria City, Plan 5275.

## 2.6 Consistency with Design Guidelines

The application site is located within Development Permit Area 16: General Form and Character (DPA 16) as defined in the *Official Community Plan* (OCP). As the proposal does not include a commercial, industrial or multi-residential component, it is exempt from Development Permit requirements. However, in this instance the applicant has gone to considerable lengths to design the proposed daycare to respect the traditional residential context and has expressed a



willingness to enter into a Section 219 Covenant to secure the proposed building design.

In light of the above, the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* and the *Advisory Design Guidelines for Buildings, Signs and Awnings*, which are normally considered and applied to Development Permit Applications in DPA 16, are not applicable in this instance. However, as the applicant has confirmed that they are willing to enter into an agreement to secure the proposed design, staff have evaluated the merits of that design and consider that it is consistent with the aforementioned Design Guidelines as follows:

- the proposed building design is considered to represent a sensitive response to the traditional residential context
- a range of architectural materials and features are proposed to articulate the building facades fronting Montreal Street and Dobinson Street
- a prominent entrance feature is proposed in the form of a significant front entrance porch
- permeable paving surfaces are proposed in pedestrian areas
- areas of landscaped open space are proposed for use as outdoor play areas
- bicycle parking is provided in a prominent location adjacent to Dobinson Street.

## **2.7 Consistency with other City Policy**

### **2.7.1 Official Community Plan**

The *Official Community Plan* (OCP) includes policies that encourage the development of quality, accessible, affordable daycare options, including preschools. New childcare facilities are promoted throughout the City to support families and employers.

### **2.7.2 James Bay Neighbourhood Plan**

The *James Bay Neighbourhood Plan* states that amenities provided in the neighbourhood should include childcare for employees which would be accessible for residents of the community. The Plan also states that new development should respect streetscape character. The proposal directly responds to these policies by providing a daycare facility in a form that is sensitive to the traditional residential context.

## **2.8 Community Consultation**

In accordance with the *Community Association Land Use Committee's (CALUC) Procedures for Processing Rezoning Applications*, the applicant consulted with the James Bay CALUC on August 13, 2014. A letter from the CALUC is attached.

### 3.0 Issues

The key issues related to this application are:

- building design
- parking
- accessory buildings.

### 4.0 Analysis

#### 4.1 Building Design

As outlined in Section 2.6 of this report, the proposal is exempt from Development Permit Area requirements, however, in this instance the applicant has designed the proposed daycare to respect the traditional residential context and has submitted detailed plans as part of the Rezoning Application. The applicant has also expressed a willingness to enter into a Section 219 Covenant to secure the proposed building design.

Notwithstanding the fact that the proposal is exempt from Development Permit requirements, staff have evaluated the merits of the design and consider that it is consistent with the City's Design Guidelines normally applicable in Development Area 16.

Staff recommend that Council consider approving the application, subject to the building design being secured by a Section 219 Covenant.

#### 4.2 Parking

The existing R1-8 Zone, Montreal Day Care District, allows for a daycare facility accommodating up to 15 children and requires that at least two parking stalls be provided on the lot. This is less stringent than Schedule C of the *Zoning Regulation Bylaw* which requires that one parking stall be provided for each full-time employee plus an additional two stalls. Based on the Schedule C calculation, the proposal should provide for eight parking stalls, however, the application does not propose any off-street parking.

The applicant has provided a detailed rationale for providing no parking which is included in their letter to Mayor and Council (attached) and can be summarized as follows:

- 63% of the daycare staff walk, bike or use the bus to get to the premises
- 48% of families walk, bike or use the bus to get to the premises
- drop-off and pick-up times are gradual and staggered between 8:00 am to 10.30 am in the morning and 3:00 pm to 5:00 pm in the afternoon
- extended daycare hours will facilitate gradual drop-off/pick-up times
- there are many locations for families to park for drop-off/pick-up, including Montreal Street, Dobinson Street, Simcoe Street and the rear lane adjacent to MacDonald Park; these parking areas are not full at pick-up/drop-off times.
- secure on-site bike and stroller parking will be provided
- end-of-trip facilities (shower and lockers) will be provided for staff
- the possibility of a 10-minute drop-off zone in front of the application site on Montreal Street will be discussed with the City's Engineering and Public Works Department at the Building Permit stage
- a parent handbook will remind families of parking options.



Given the transportation data provided by the applicant along with the suggested transportation demand management measures, staff recommend that Council support parking variance.

#### **4.3 Accessory Buildings**

The application indicates that a playhouse and garden shed will be constructed within the rear yard of the property, however, the proposed location of these accessory buildings is not compliant with the setback requirements outlined in Schedule F (Accessory Building Regulations) of the *Zoning Regulation Bylaw*. The applicant has been informed by staff that, as currently proposed, the accessory buildings would require a Development Variance Permit. In response, the applicant has indicated that they would prefer to submit revised plans demonstrating that the accessory buildings meet all the regulations of the *Zoning Regulation Bylaw* rather than submitting a Development Variance Permit Application to seek variances for very minor setbacks.

#### **5.0 Resource Impacts**

There are no resource impacts associated with this application.

#### **6.0 Conclusions**

The proposed daycare use is consistent with City policy and the proposed design represents an appropriate response to the traditional residential context. Staff recommend that Council consider approving the application, subject to the design being secured by way of a Section 219 Covenant registered on the property title and revised plans demonstrating that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*.

#### **7.0 Recommendations**

##### **7.1 Staff Recommendation**

That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00458 for 149 Montreal Street, subject to:

3. The submission of revised plans that demonstrate that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. A Section 219 Covenant to secure the proposed building design being registered on title, to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

##### **7.2 Alternate Recommendation (Decline)**

That Council decline Rezoning Application #00458 for 149 Montreal Street.

## **8.0 List of Attachments**

- Zoning Map
- Aerial Photo
- Letter from applicant dated August 5, 2014
- Plans dated August 5, 2014
- Letter from James Bay Neighbourhood Association dated August 19, 2014.



MACDONALD  
PARK



149 Montreal Street  
Rezoning #00458  
Bylaw #







149 Montreal Street  
Rezoning #00458  
Bylaw #





**Letter to Mayor and Council (Rezoning application)**

**CONTENT**

1.	Society & Project Overview .....	2
2.	Operational Requirements & Limitations .....	2
	Licensing & Regulations .....	2
	Building & Yard Licensing Requirements .....	2
	Affordability .....	3
	Timelines .....	3
	Business Continuity .....	3
3.	Description of Proposal.....	3
4.	Government Policies.....	5
5.	Project Benefits & Amenities .....	5
6.	Need & Demand .....	5
	Community Need .....	5
	Rationale For Rezoning & For A Purpose-Built Building .....	5
	Neighborhood Support.....	6
7.	Neighbourhood .....	6
8.	Impacts .....	6
9.	Design & Development Permit Guidelines .....	7
10.	Safety & Security .....	7
11.	Transportation.....	7
	Historical & Current Transportation Data.....	7
	Parking Mitigation Proposal.....	9
	Frontage Upgrade Request from Transportation Planner - Engineering and Public Works .....	9
	Frontage Upgrade Mitigation Proposal.....	9
12.	Heritage .....	9
13.	Green Building Features.....	10
14.	Infrastructure.....	10
	Appendix A: Neighbours Signed Letter Of Support .....	11
	Appendix B: Example of Sign-In / Sign-Out Sheets.....	14
	Appendix C: Shadow Study .....	20

## Letter to Mayor and Council (Rezoning application)

### 1. SOCIETY & PROJECT OVERVIEW

The James Bay Child Care Society (JBCCS) is a non-profit organization in existence for about 40 years, and has operated the fully licensed Infant Plus Child Care Centre ([jbccs.org](http://jbccs.org)) at its current location of 149 Montreal Street in James Bay, Victoria for more than 15 years. Currently, the JBCCS's Infant Plus toddler program supports the needs of parents for children between the ages of 18 months and three years. We have an excellent community reputation for offering a high-quality child care program in a safe and nurturing home-like facility, aligned with the social realities of our families and local community.

Our current project is to expand our program to serve older and younger children by adding a 16-child program for 3 to 5 years old and an 8-child infant program (0 to 18 months). This will result in 3 programs which each offer full-time, affordable, high-quality child care, and provide continuum of care, from birth to school age.

Approximately 75% of the costs to demolish our current space-limited house and to construct a new purpose-built building at our current location is intended to be covered by the **BC Child Care Capital Grant**, which, after more than 10 years of inactivity, has been funded, for 2014, with \$14.8 million for the creation of 1000 new licensed childcare spaces in BC. This explains the strict timelines requirements described below.

### 2. OPERATIONAL REQUIREMENTS & LIMITATIONS

#### Licensing & Regulations

As a non-profit organization, the JBCCS is bound by the Society Act of BC.

As a fully licensed childcare provider, we operate in compliance with the Ministry of Health's Child Care Licensing Regulations (Community Care and Assisted Living Act) and are subject to monitoring by our assigned licensing officer.

These regulations not only dictate operational management but also mandate building and yard design elements.

#### Building & Yard Licensing Requirements

- Each program must be separated (i.e. no sharing of floor or yard space between programs)
- Access to one program must not be through another program (i.e. separate entry into each program area)
- 39.8 sq. ft. (3.7 m<sup>2</sup>) per child of interior play/sleep area  
*NOTE: This excludes bathrooms, hallways, kitchens, cubbies/storage, stationary furniture, etc.*
- 75.3 sq. ft. (7 m<sup>2</sup>) per child of fenced exterior play area  
*NOTE: Each program outdoor space must be separated from each other when in use and fenced*

Program MINIMUM Requirements	Infant (0 to 18 mths)	Toddler (18 mths to 3 yrs)	3-5 (3 to 5 yrs)
Number of children	8	8	16
Interior play area (sq. ft.)	319	319	637
Outdoor (sq. ft.)	603	603	1205
Number of toilets	1	1	2
Change tables	Yes	Yes	Yes
Staff	2	2	2



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**Letter to Mayor and Council (Rezoning application)**

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**Affordability**

With the cost of living continuously increasing and parents needing to turn more and more towards supplemental or two-family incomes models, we insist that maintaining the lowest possible parent fees is critical. We have reviewed the current statistics for group childcare facility fees in the region and strive to either maintain or lower our current parent fees.

In addition, our centre is open to all children (including those on subsidy, children requiring extra support, etc.) and, with this expansion, we will be in a position to offer reduced fees to either all families and/or reduced fees/free spaces to families in need.

**Timelines**

We appreciate the City of Victoria and the JBNA willingness to expedite our rezoning application since, to meet the BC ChildCare Capital Grant, we are bound to very aggressive timelines.

We have a very dedicated group of volunteer community members working hard to realize our expansion project while taking advantage of this unique Provincial support opportunity; working with architects, potential builders and contractors, licensing officers, neighbours, etc., so we are ready to move ahead on this project within the timeline set forth by the Capital grant which are to start the project within 4 months of grant receipt (expected end August 2014).

**Business Continuity**

In order not only to offer new much needed childcare spaces in the city but also to simply maintain our current offering, we financially need to expand our programs to ensure the survival of our centre. This is the reality of all centres offering spaces for children 0 to 3 years old with the exception of one, Victoria Children's Centre (0 to 20 months only), which has no overhead / rent costs, being located in a government building.

**3. DESCRIPTION OF PROPOSAL**

Our property currently has R1-8 zoning (Montreal Day Care District), a bylaw specific to our parcel, which is a simple residential R1-B zone with the additional permitted use of "a day care that accommodates not more than 15 children."

**PART 1.61 - R1-8 ZONE, MONTREAL DAY CARE DISTRICT**

Uses	1	The only uses permitted in this Zone are
		(a) all of the uses permitted in the R1-B Zone, Single Family Dwelling District;
		(b) a day care that accommodates not more than 15 children.
Parking	2	There must be at least 2 parking spaces on each lot.
General	3	Except as provided in this Part, the regulations applicable in the R1-B Zone, Single Family Dwelling District apply in this Zone.

We are not requesting any changes to the land use, type of tenure or number of dwelling units.

## Letter to Mayor and Council (Rezoning application)

The only 2 changes we are requesting, in addition to any points the City may need to modify, are:

- The removal of "...that accommodates not more than 15 children."
- The removal of the parking requirement so we can meet licensing yard size requirements (see transportation, section 11 below)

Based on:

- our needs
- the fact that VIHA licensing regulates the number of children allowed in a daycare facility
- a review of other similar daycares zoning

Group Childcare	Address	# Parking Spaces	Comment	Zoning (VicMap)
Castleview Child Care Centre	1075 Joan Crs	0	3 minutes drop-off zone	R-1A
Christ Church Cathedral Childcare	520 Niagara	≈ 5	Old church building	R-2
Little Hands Child Care	1303 Fairfield Rd	0		R-1B
Springridge	1222 Gladstone Ave	0		R-2
Rainbow Express	433 Kingston	0		R-2
ABC Infant & Toddler	2700 Scott St	0	(zero required by zoning)	R1-SDC
Fernwood NRG	1240 Gladstone Ave	0		R-2
Carousel Child Care Centre	301 Richmond Ave	0	(zero required by zoning)	R1-DC

We would prefer if the wording of our new zoning did not contain any number of children, like, for example, the R1-DC zoning bylaw:

### PART 1.8 – R1-DC ZONE SINGLE FAMILY DWELLING (DAY CARE)/PARKING BONUS) DISTRICT

Permitted Uses	1. The following uses are permitted <ul style="list-style-type: none"> <li>(a) all uses permitted in the R1-B Zone, Single Family Dwelling District, subject to all the regulations applicable to that zone;</li> <li>(b) day care facilities in any <u>building</u>.</li> </ul>
Special Parking Exemption	2. No off-street parking facilities are required in this zone for a day care use.

We understand that the City can perform the three mandatory readings as well as the adoption of a zoning bylaw change in one single meeting (as it has done in the past), and we would greatly appreciate your support in facilitating this for our application.



## **Letter to Mayor and Council (Rezoning application)**

### **4. GOVERNMENT POLICIES**

Our project conforms to the current City of Victoria OCP (page 109):

- Section 15.8 Encourage the development of quality, accessible, affordable daycare, including preschool, out-of-school care and elder daycare spaces, to support families and employers by:
  - o 15.8.1 Considering the provision of non-profit daycare space as an amenity in new residential, mixed-use and commercial developments to be secured through agreement; and,
  - o 15.8.2 Encouraging new childcare and elder daycare spaces throughout the city.

No change to the Official Community Plan is requested.

### **5. PROJECT BENEFITS & AMENITIES**

Please refer to need and demand, section 6 below.

### **6. NEED & DEMAND**

#### **Community Need**

Victoria has a tremendous need for new childcare spaces. The most recent data from the CRD indicates the enormous gap between available childcare and parental demand for it. We see this as not merely an abstract public policy issue but as a stressful reality for families, including those whose children graduate from our existing toddler program without a clear path onward to other 3-5 programs. The continual long waitlists at our program and other local group daycares, as demonstrated in the table below, clearly reflect an unmet need in our community.

<b>Child Care Centre</b>	<b># spaces for 0-3 years old</b>	<b># unique family on waitlist</b>
VCC	12	45
Springridge	8	54
Cridge	24	65
Infant Plus	8	48
ABC Infant	8	50
ABC Toddler	12	40
Freedom	12	200

Our rationale for seeking to offer childcare for children in these expanded age ranges is well founded in terms of our social values and the community's practical needs. The best recent research into out-of-home child care indicates the importance of providing continuity of care - that is, creating a consistent developmental environment and progressive program for children from birth to school age.

#### **Rationale For Rezoning & For A Purpose-Built Building**

We have looked at many different options: "Selling and Buying a new house", "Selling and Renting a house", "Rebuilding on current owned land", etc., and have come to the conclusion that, with the support from the provincial Capital Grant funds, the best option is to demolish our current building and to construct a purpose-built new house.

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**Letter to Mayor and Council (Rezoning application)**

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The main points leading to this conclusion are:

- Square footage required by licensing has increased over the years and the need to have each program separated makes finding a suitable space very difficult. For example a single floor of 1200 sq. ft. may result, once the kitchen, bathrooms, storage, hallways and entrance areas are excluded, in less than the 637 sq. ft. required for our planned 3-5 program.
- Yard footage required by licensing has increased over the years and the need to have each program's yard separated makes finding a house with a suitable yard with 3 fence-able areas very difficult.
- Relatively few houses are for sale or rent in our community, and even fewer are suitable in size/yard.
- High sale / rental prices of houses in the target neighborhoods of James Bay or South Fairfield.
- Financing our expansion as a non-profit organization with the current limited program.
- Landlords' reluctance to rent for childcare purposes.
- Zoning requirements for more than 8 children would mean a rezoning application wherever we rent, buy or rebuilt.

Thus, in order to continue serving our local community, this option of rebuilding / rezoning our current site appeared to be the only one, rather than having to move our daycare outside of the City of Victoria boundaries.

**Neighborhood Support**

In preparation for the JBNA meeting, we have individually approached our neighbours and explained our expansion plans. The vast majority of our neighbours have confirmed their support to our expansion plans as demonstrated in the letter of support found in Appendix A: Neighbours Signed Letter Of Support.

**7. NEIGHBOURHOOD**

The daycare site is located in a stable neighbourhood mainly comprised of residential properties mixed with public and commercial amenities (MacDonald Park, Todd Park, the James Bay Allotment Garden and the James Bay Athletic Association). Most of the surrounding buildings are one and two storey houses. Accordingly, the proposal has been designed to the same scale and will have a domestic rather than institutional or commercial appearance. The proposed form is a single storey ground level with the second level as a floor contained within a hipped roof with shed dormers. The two entrances to the building are via a main front porch (Montreal Street) and a side porch (Dobinson). These architectural elements, in addition to the scale and materiality, strengthen the new building's relationship to traditional houses in this James Bay neighbourhood.

The project site is at the end of a block that has no similar buildings behind it and only one side neighbour. The other three sides of the lot are bounded by two local roads and a rear service lane.

**8. IMPACTS**

The two sites most impacted by the new daycare house are the Allotment Gardens and the neighbouring house at 145 Montreal Street. Shadow studies have been done to ensure that the building will not shadow either of these properties (See Appendix C: Shadow Study). It is our opinion that the addition of a building entrance on Dobinson will improve overlook of the Allotment Gardens and thereby have a positive result on both the animation of the area and security.



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**Letter to Mayor and Council (Rezoning application)**

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For the neighbouring house, the project has been designed to mitigate negative impacts as much as possible. Careful attention has been paid to maintaining privacy between the properties: the proposed side yard setback complies with the existing zone, a new six foot tall fence will be built along the property line, existing trees to the south edge of the site will be retained, and windows on the south facade have been placed and sized so that the daycare will not overlook the neighbouring outdoor spaces nor align directly with the neighbour's windows. The potentially louder groups of children have been allocated play areas as far away from the neighbouring house as the site permits; the toddler play area is at the north side of the front yard, while the 3-5 year olds play area is in the rear yard, adjacent to the neighbour's back yard garage.

It is our opinion that the proposal will be a charming and welcome addition and will enhance the neighbourhood through its architecture and site treatments.

**9. DESIGN & DEVELOPMENT PERMIT GUIDELINES**

In keeping with the James Bay Neighbourhood Plan, the proposed building is compatible in form and scale with the surrounding residential properties.

**10. SAFETY & SECURITY**

The outdoor areas surrounding the building will be well defined by fencing and paving, and will be animated by and have positive overlook from the daycare. Lighting, entrances and windows will work together to provide natural surveillance of these areas, without disturbing the residents at 145 Montreal Street. Site lines through the yards will not be obscured by plantings or fences; the taller fences at the side and rear yards will be secure yet detailed to allow views through this boundary. The building, fences, lighting and landscaping will be maintained to a high standard to preserve the dignity of the facility and ensure continued adherence to CPTED principles.

**11. TRANSPORTATION**

Our project does not meet the vehicle parking standards of Schedule C which, with 6 FTE, would require us to have 8 off-street parking spaces, which is physically impossible and would not allow us to continue with our project. In order to better understand our situation and to mitigate the lack of off-street parking on the property, you will find below our historical data and mitigation commitments. We have also met with Steve Hutchison (AScT, Transportation Planner, Engineering and Public Works Department, City of Victoria), and the information below includes the content of this meeting.

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**Historical & Current Transportation Data**

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**Last 5 Years**

- Families - use vehicles to drop off / pick up     ≈ 52% (20.5 families out of 39)
- Families - walk or bike to drop off / pick up     ≈ 48% (18.5 families out of 39)
- Staff - use vehicles                                     < 37%     (1 out of 2.7 FTE)
- Staff - walk or bike or bus                           > 63%     (1.7 out of 2.7 FTE)

**Drop Off Times**

- Gradual, on average no more than 2 people drop off at the exact same time
- Staggered between 08:00 to 10:30
- Example sign-in/sign-out sheets are attached in Appendix B as supporting documentation



## Letter to Mayor and Council (Rezoning application)

### Pick-Up Times

- Gradual, on average less than half pick-up at closing time  
(with extended hours to 17:30 in our new programs, this, according to experience, will be even less)
- Staggered between 15:00 to 17:00
- Example sign-in/sign-out sheets are attached in Appendix B as supporting documentation

### Neighbouring Parking



### City parking on Simcoe (corner of our rear lane):

- 46 spaces
- Never full during our drop-off and pick-up times
- Busiest time of this parking is during sporting events in Macdonald park, which is not effecting our drop-off and pick-up times

### City parking in rear lane:

- 4 spaces
- Never full during our drop-off and pick-up times
- Busiest time of this parking is during sporting events in Macdonald park, which is not effecting our drop-off and pick-up times

In addition, we would like to point out that no other similar daycare in the City of Victoria has off-street parking, as shown in the table below.

### Parking Requirements For Other Group Childcare Centres In Victoria

Group Childcare	Address	# Children	# Parking Spaces	Comment	Zoning (VicMap)
Castleview Child Care Centre	1075 Joan Crs	40	0	3 minutes drop-off zone	R-1A
Christ Church Cathedral Childcare	520 Niagara	32	≈ 5	Old church building	R-2
Little Hands Child Care	1303 Fairfield Rd	22	0		R-1B
Springridge	1222 Gladstone Ave		0		R-2
Rainbow Express	433 Kingston	32	0		R-2
Victoria Children's Centre	1515 Blanshard St	12	0	(in government building)	CA-4
Freedom ChildCare Centre	749 View St	42	0	(in commercial building)	CA-4
Cridge Child Care Services	1307 Hillside Ave	189	yes	Part of "Cridge Centre for the Family" Complex	R1-26 : Cridge Centre District
ABC Infant & Toddler	2700 Scott St	unk	0	(zero required by zoning)	R1-SDC
Fernwood NRG	1240 Gladstone Ave	unk	0		R-2
Carousel Child Care Centre	301 Richmond Ave	25	0	(zero required by zoning)	R1-DC

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**Letter to Mayor and Council** (Rezoning application)

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**Parking Mitigation Proposal**

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**For Families**

- secure onsite bike parking
- secure onsite stroller parking
- 10 minutes Drop Off Zone  
(to be discussed with the Transportation Department at the Building Permit stage)
- extended hours will facilitate gradual pick-up time
- parent handbook can promote / remind families of these options

**For Staff**

- end of trip facilities: shower and lockers
- secure onsite designated bike parking
- possibility to contribute some assistance towards a bus pass if staff requires it

**Frontage Upgrade Request from Transportation Planner - Engineering and Public Works**

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- Curb and gutter on the Dobinson Street frontage.
- Curb and gutter on the rear lane.
- A sidewalk on the Dobinson Street frontage.

**Frontage Upgrade Mitigation Proposal**

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As we are a non-profit organization, the potential costs associated with these requests are prohibitive from creating new childcare spaces. Our project is highly funded by the Provincial Child Care Capital Grant and the amount that we may be allocated would not allow us to have these additional expenses.

We proposed the following as mitigation actions:

- Parents and staff handbook policy (which is signed by each family and staff) to:
  - Stipulate that no daycare parking is allowed on the Dobinson St. grass boulevard
  - Direct parents to use designated drop off zone or surrounding public parking if using a vehicle
  - Remind parents to use actual sidewalks along Simcoe and Montreal Street to ensure the safety of their children
- It is our observation that during our business hours, Dobinson street is barely used. In fact, we have noted that it is hardly used at all during winter months and less than 2 to 5 cars per day during the gardening seasons.

Thus, under our circumstances, we are unable to meet these requests to build curbs, gutters and a sidewalk on a barely used street lane and the rear lane and hope that the rationale given above is sufficient for the Council to continue supporting our application.

**12. HERITAGE**

N/A: Our property has no heritage status and no heritage buildings are impacted by our development.



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**Letter to Mayor and Council** (Rezoning application)

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**13. GREEN BUILDING FEATURES**

The Infant and Toddler Daycare's mission is 'to seek to cultivate positive human values of compassion, reverence for life, respect, cooperation, love of nature and social conscience', and their new facility will embody this philosophy.

In addition to being efficiently tailored to the functional space program, the new daycare house has been kept to a compact form with the smallest practical footprint, in order to economize the structure, minimize resources required for construction, and preserve as much open site space as possible. Site permeability has been maximized through the disposition of permeable paving and ground cover over the majority of the open site space.

The proposed daycare house is located in a neighbourhood with a demonstrated need for daycare services, and it is anticipated that many of the children will live in or near the neighbourhood and continue to arrive by stroller and bicycle. Alternative transportation will be encouraged by ample allocation of space for bicycles and strollers on site, as well as staff end-of-trip facilities.

Low-flow plumbing fixtures and 'Power-Smart' appliances will be specified for water and energy conservation. The building structure and envelope will meet all current energy and building codes and will be well detailed and insulated to reduce energy demands. Windows have been designed to optimize natural light to the interiors, frame views of the trees and surrounding streets and provide ventilation.

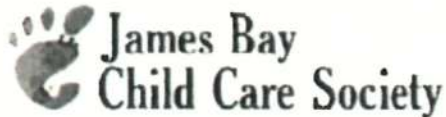
**14. INFRASTRUCTURE**

Sewer and water infrastructure would need to be upgraded to meet our new building. We are aware of this need and have budgeted accordingly.



## Letter to Mayor and Council (Rezoning application)

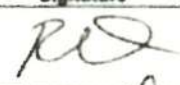

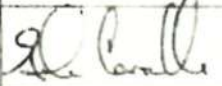





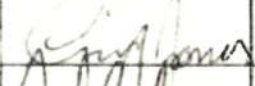

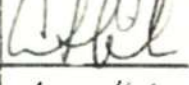





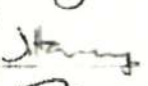



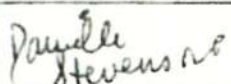

### APPENDIX A: NEIGHBOURS SIGNED LETTER OF SUPPORT



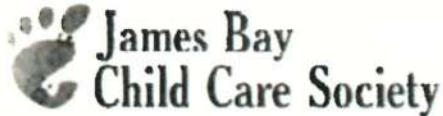
Infant Plus Daycare Centre  
149 Montreal Street  
Victoria, BC, V8V 1Y8  
Phone: (250) 388-9144  
[infantplus@shaw.ca](mailto:infantplus@shaw.ca)

### Support from Neighbors of 149 Montreal Street, James Bay

My signature below affirms that I am a resident of the James Bay neighborhood and that I have been advised of the expansion plans of the James Bay Child Care Society's Infant Plus Child Care Centre. I understand the urgent need for additional childcare spaces in Victoria and support the JBCCS expansion plan to open up such spaces by replacing their existing, insufficient building with a new house for this purpose.

Name	Signature	Address	Phone
Rosale Chartant-Rodrigue		327 Simcoe St	
Graham Carrothers		327 Simcoe St	
Alanna Dixon		21-130 Dundas Rd.	
Helen Arsen		216 Simcoe St	
CINOT JONES		214 Simcoe St	
Andrew Whidden		201 MONTREAL ST	
Amy Hartmann		203 B Montreal St.	
Gina Chumick		201B Montreal St	
Sarah Houry		163 Montreal	
MATT BRUCE		150 MONTREAL ST.	
Danielle Stevenson		128 Montreal	



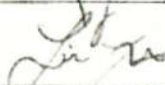

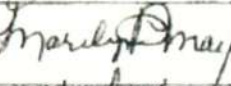

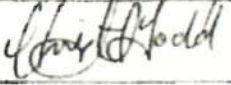
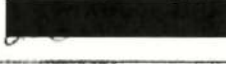
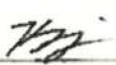
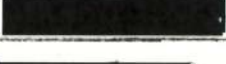
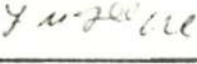

## Letter to Mayor and Council (Rezoning application)



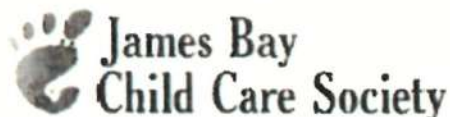
Infant Plus Daycare Centre  
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Name	Signature	Address	Phone
STACY Jensen		152 Ladysmith St	
LISA Smith		140 Ladysmith St	
Marilyn May		126 Ladysmith St	
Christel Todd		131 Ladysmith St	
Keith Turpin		3-147 Niagara	
MATTHIAS HERBORN		5-444 McHill St	



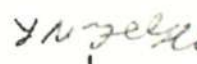

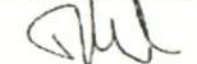






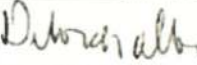




## Letter to Mayor and Council (Rezoning application)



Infant Plus Daycare Centre  
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Name	Signature	Address	Phone
LUCIE Hannah		5-444 Michigan St. Victoria, V8V1R5	
MATTHIAS HERBOLD		5-444 MICHIGAN VICTORIA, V8V1R5	
JAMES MORTIMER		135 B Kington ST. VICTORIA	
Sarah Duckas		135B Kington St Victoria	
James Mortimer		135B Kington St	
Alan Mortimer		135B Kington St	
Debra Albert		4-444 Michigan Victoria V8V1R5	250 
DYLAN HERBOLD		5-444 MICHIGAN VICTORIA	
MAYA HERBOLD		5-444 MICHIGAN VICTORIA	





# James Bay Child Care Society

Infant Plus Daycare Centre  
149 Montreal Street  
Victoria, BC, V8V 1Y8  
Phone: (250) 388-9144  
infantplus@shaw.ca

## Letter to Mayor and Council (Rezoning application)

### APPENDIX B: EXAMPLE OF SIGN-IN / SIGN-OUT SHEETS

Infant Plus Daycare Centre  
Sign-in Sheet

Date	Child's Name	Time Awake	Last Fed	Last Change	Comments	Time In	Time Out	Initials	Drop Off
Dec 18	Gemma	5:30	6:45	5:38		8:40	5:15		Drive
	Gemma	7:00	7:15	7:30	sleepy	8:15	4:30		walk
	Morgan	5:50	7:30	7:00	distressed, sensitive	8:30	10:30		Drive
	Aria	7:15	8:00	7:00		9:30	4:30		bike
	Talia	6:30	8:00	—	rough night	9:15	2:55		walk
	Gemma	7:10	7:15	7:15		8:15	16:30		walk
	Morgan	6:35	7:00	6:45		8:20	4:50		Drive
	Oscar	6:20	6:45	6:40	2 changed 0:45	8:23	4:15		Drive
	Sara	5:20	7:15	6:30	bike, sensitive	8:25	4:45		Drive
	Aria	6:05	7:00	6:00	bad night!	4:00	4:45		walk
	Talia	7:40	8:30	8:40		9:00	4:20		walk
	Morgan	7:30	8:30	8:00		10:20	4:00		Drive
	Morgan	6:30	6:45	7:00		8:07	4:25		Drive
	Morgan	5:50	7:00	6:30		8:20	4:20		Drive
	Morgan	6:15	6:45	6:00		8:43	4:34		Drive
	Sara	6:30	7:00	7:30		9:40	16:30		bike
	Sara	6:50	7:00	7:00		9:40	4:50		walk
	Morgan	7:00	7:00	7:50	Cough	11:30	4:27		Drive
	Morgan	6:50	7:10	7:50	Runs nose, cough	8:47	4:27		walk
	Morgan	6:50	7:10	7:50		9:15	3:15		walk
	Aria	6:10	8:30	9:10		9:40	16:10		walk
	Talia	6:30	8:30	—		11:30	4:40		walk
	Aria	6:00	8:45	9:50		9:03	4:00		Drive
	Morgan	6:30	8:15	8:10		9:10	4:20		Drive
	Talia	6:30	7:30	7:15	runny nose	7:15	4:50		Drive
	Sara	6:30	7:00	—		7:25	3:30		walk
	Morgan	6:30	7:00	7:22		8:07	4:17		Drive
	Morgan	7:45	9:00	9:30		8:47	4:35		walk
	Sara	6:30	8:00	—		7:30	4:00		walk
	Morgan	7:30	7:40	8:30		9:37	4:40		Drive
	Morgan	6:45	8:00	8:45		9:55	4:20		Drive
	Talia	8:30	9:00	—		11:00	4:45		walk



**Infant Plus Daycare Centre**  
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Victoria, BC, V8V 1Y8  
Phone: (250) 388-9144  
[infantplus@shaw.ca](mailto:infantplus@shaw.ca)

**Letter to Mayor and Council** (Rezoning application)

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Date	Child's Name	Time Awake	Last Fed	Last Change	Comments	Time In	Time Out	Initials
Nov 25	Sean	6:45	7:30	7:00		7:08	4:45	HA
Nov 25	Angela	6:30	7:30	7:45		8:10	9:45	CA
	Gabrielle	7:05	7:40	7:00		8:18	4:50	AR
	Morgan	6:45	7:15	7:00		9:25		
	David	6:30	7:00			9:00		
	Timber	7:00	8:00	8:45		9:00	4:15	CA
	AR					9:30	3:30	Early
Nov 26	Sean	6:15	6:45	6:15		8:30	11:00	HA
Nov 26	Gabrielle	7:05	7:50	7:15		8:18	4:45	CA
	Angela	5:50	7:30	7:00		8:17	10:50	AR
	Morgan	6:40	7:20	7:30		8:45	4:45	
	Angela	6:45	7:15	7:30		8:45	4:45	
	Timber	7:30	8:00	8:00		9:30	4:00	Early
	David	6:30	8:30	9:00		9:30	4:30	CA
	Sean	6:30	6:45	7:15		8:05	9:50	AR
	Gabrielle	6:45	7:00	7:30		8:45	4:45	
	Angela	7:00	7:20	8:00		8:30	16:10	CA
	Timber	5:50	7:20	7:00		9:00	8:50	AD
	David	6:30	7:30			9:15	4:30	AR
	Sean	7:00	8:00	9:00		9:45	4:45	Early
	Gabrielle	7:00	8:45	7:30		09:30	16:40	CA
Nov 25	Gabrielle	7:05	7:40	7:15		8:00	9:45	AR
Nov 25	Angela	6:20	6:45	6:30		8:30	4:45	CA
	Angela	7:00		7:00	no breastfeed	8:30	16:05	CA
	David	6:30	8:00	7:30		8:30	5:00	AR
	Morgan	6:45	7:10	7:30		8:40	3:25	CA
	Timber	7:00	8:20	8:15		9:30	4:15	AR
	David	6:15	7:30			8:10	4:45	AR
	Sean	6:15	7:30			8:05	4:05	AR
Nov 26	David	6:00	6:45	6:00		8:22	4:40	AR
	Angela	6:50	6:50	7:30		8:05	4:45	AR
	Gabrielle	7:05	7:40	7:15		9:05	4:45	AR
	Morgan	6:45	7:10	7:30		9:05	4:45	AR
	David	6:30	7:30			9:05	4:45	AR



**Letter to Mayor and Council** (Rezoning application)

Infant Plus Daycare Centre  
Sign-in Sheet

Date	Child's Name	Time Awake	Last Fed	Last Changed	Comments
May 2014	Maya	7:15	6:45	5:15	
2/14	Ayla	6:00	7:00	7:30	
	Gabriella	7:10	7:40	7:15	
	Oran	7:00	7:40	6:00	
	Morgan	6:40	7:00	7:20	
	Samantha	6:30	7:00	7:30	
	Talia	7:15	8:30	7:10	
May 2014	Gabriella	7:00	7:40	7:15	
2/14	Ayla	6:15	7:45	8:10	
	Morgan	6:30	7:00	7:30	
	Samantha	7:00	8:00	7:20	
	Talia	7:00	8:00	7:20	
	Samantha	7:00	8:00	7:20	
May 2014	Maya	7:15	8:00	7:30	
2/14	Gabriella	7:15	7:45	7:15	
	Ayla	7:20	7:45	8:10	
	Morgan	6:20	7:00	7:30	
	Samantha	6:00	7:20	7:00	
	Talia	7:30	8:00	7:20	
May 2014	Gabriella	7:00	7:45	7:15	
2/14	Ayla	7:00	7:45	7:30	
	Morgan	7:20	7:45	7:30	
	Samantha	6:20	7:45	7:20	
	Talia	7:00	7:45	7:20	
	Samantha	7:00	7:45	7:20	
May 2014	Maya	7:15	8:00	7:30	
2/14	Gabriella	7:15	7:45	7:15	
	Ayla	7:20	7:45	8:10	
	Morgan	6:20	7:00	7:30	
	Samantha	6:00	7:20	7:00	
	Talia	7:30	8:00	7:20	
May 2014	Gabriella	7:00	7:45	7:15	
2/14	Ayla	7:00	7:45	7:30	
	Morgan	7:20	7:45	7:30	
	Samantha	6:20	7:45	7:20	
	Talia	7:00	7:45	7:20	
	Samantha	7:00	7:45	7:20	





## Letter to Mayor and Council (Rezoning application)

Infant Plus Daycare Centre  
Sign in Sheet

Date	Child's Name	Time Awake	Last Fed	Last Changed	Comments	Time In	Time Out	Initials	
23 May	Nancy O'Shea	6:45	7:15	7:30		8:10	4:50	JZ	One
	Ayla	6:30	7:00	7:15		8:14	4:45	AD	One
	Gabrielle	7:10	7:45	7:00		8:16	5:00	Mom	One
	Morgan	7:00	7:00	7:00		8:26	4:50	Mom	One
	Sara	5:30	7:30	6:45		8:40	4:50	AD	One
26 May	Sara	6:04	7:00	6:45		9	4:50	AD	One
	Gabrielle	6:00	7:00	6:45		8:45	4:50	AD	One
	Gabrielle	7:00	7:45	7:15		8:06	4:50	AD	One
	Morgan	6:20	7:45	7:15		8:17	5:00	Mom	One
	Sara	6:30	7:00	7:30		8:32	4:45	Mom	One
	Sara	6:30	7:00	7:30		8:32	4:45	Mom	One
27 May	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
28 May	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
29 May	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
30 May	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
31 May	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
1 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
2 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
3 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
4 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
5 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
6 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
7 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
8 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
9 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
10 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
11 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
12 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
13 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
14 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
15 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
16 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
17 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
18 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
19 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
20 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
21 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
22 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
23 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
24 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
25 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
26 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
27 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
28 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
29 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
30 Jun	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
1 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
2 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
3 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
4 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
5 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
6 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
7 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
8 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
9 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
10 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
11 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
12 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
13 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
14 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
15 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
16 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
17 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
18 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
19 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
20 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
21 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
22 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
23 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
24 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
25 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
26 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
27 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
28 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
29 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
30 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One
31 Jul	Morgan	6:15	7:15	7:30		8:25	4:50	AD	One





## Letter to Mayor and Council (Rezoning application)

### Infant Plus Daycare Centre Sign-in Sheet

Date	Child's Name	Time Awake	Last Fed	Last Change	Comments	Time In	Time Out	Initials	
Mar 24 2014	ISRAEL	6:10	6:40	6:10		8:08	4:52	BT	ONE
	Gabriel	7:00	7:40	7:00		8:19	4:40	RK	WALK
	Maya	6:30	7:15	7:30		8:30	4:46	W	BING
	Morgan	6:30	7:00	7:00		8:34	4:44	AD	ONE
	Ayla	7:30	8:00	8:30		8:45	4:40	AD	WALK
	SARA	6	7	7		9	4:42	AD	ONE
	TULIP	6:15	8:00	7:30		9:10	3:30	Dad	ONE
	TULIP	7:30	8:00	8:15		9:10	3:45	AD	ONE
Mar 25 2014	Gabriel	7:05	7:30	6:30		8:02	4:47	AD	WALK
	MAYA	6:10	7:15	6:30		8:10	4:45	AD	BING
	ISRAEL	6:00	6:40	6:45		8:17	4:35	AD	ONE
	Ayla	7:00	7:30	7:50		8:18	4:35	AD	WALK
	Morgan	6:30	7:00	7:30		8:40	4:35	AD	ONE
	SARA	5:30	7	7:30		9:10	3:30	AD	WALK
	TULIP	7:30	8:30	9:00		9:10	3:40	AD	ONE
Mar 26 2014	MAYA	6:10	7:45	7:30		8:04	4:48	AD	BING
	ISRAEL	6:00	6:40	6:30		8:11	4:55	Dad	ONE
	Gabriel	7:10	7:40	7:15		8:16	4:50	AD	WALK
	Ayla	7:00	8:00	8:15		8:30	4:45	AD	WALK
	Morgan	6:30	7:00	7:30		8:37	4:36	AD	ONE
	SARA	5:30	7	7:30		9	4:37	AD	ONE
	TULIP	7:30	8:30	9:00		9:30	4:15	AD	ONE
Mar 27 2014	ISRAEL	6:00	6:40	6:10		8:08	4:41	Dad	ONE
	Gabriel	7:00	7:45	7:10		8:19	4:47	AD	WALK
	MAYA	6:00	7:30	7:45		8:20	4:10	Dad	WALK
	Ayla	7:00	7:30	8:00		8:45	4:47	AD	WALK
	Morgan	6:30	7:00	7:30		8:46	4:40	AD	ONE
	SARA	5:30	7	7:45	a little cuddly this week	9:00	4:30	Dad	WALK
	ANDREW	6:30	8:00	7:45					





## Letter to Mayor and Council (Rezoning application)

Infant Plus Daycare Centre  
Sign-in Sheet

Date	Child's Name	Time Awake	Last Fed	Last Change	Comments	Time In	Time Out	Initials	
Apr 22 2014	OSCAR	7:00	7:30	7:00		9:27	4:52	BT	one
	Gabrielle	7:10	7:30	7:00		8:18	5:00		walk
	Julia	7:20	7:30	7:00		8:19	4:57	CD	walk
	Morgan	6:30	7:00	7:30		8:20	4:42	me	one
	Willa	6:30	7:30	7:45		8:28	4:30	mom	one
	SARA	6:30	7:30	7:45		9	4:10	Dad	one
	Twilio	7:00	8:00	8:30		8:09	4:30	Dad	one
Apr 23 2014	MAYA	5:45	7:00	7:15		8:15	4:30	me	one
	Gabrielle	7:05	7:45	7:10		8:16	4:16	me	walk
	OSCAR	6:20	7:00	7:20		8:48	4:30	me	one
	Julia	7:45	8:25	8:15		9	4:20	me	walk
	SARA	6	7	7		9:30	4:10	me	walk
	Twilio	7:00	8:00	8:45		10:17	4:54	me	one
Apr 24 2014	Morgan	6:30	7:00	7:30		8:12	4:53	me	one
	Gabrielle	7:00	7:40	7:55		8:17	4:50	me	walk
	Willa	6:20	7:20	7:00		8:20	4:30	me	one
	OSCAR	6:00	7:30	7:30		8:32	4:48	me	one
	Morgan	6:30	7:00	7:30		8:39	4:57	me	one
	Willa	7:20	8:10	8:25		8:43	4:45	me	walk
	SARA	6	7	7		9	4:45	mom	one
Apr 25 2014	OSCAR	6:07	7:30	7:00		9:30	4:30	me	walk
	MAYA	6:00	7:30	6:45		8:19	4:55	me	walk
	Gabrielle	7:00	7:45	7:15		8:16	4:37	me	walk
	Morgan	6:45	7:10	7:10		8:31	4:34	me	walk
	Willa	6	7	7		9:05	4:00	me	one
	Twilio	7:15	8:30	9:00	Ruany nose	9:07	4:32	me	walk
Apr 26 2014	OSCAR	6:15	7:00	6:15		8:05	4:32	me	one
	MAYA	5:45	7:00	7:30		8:05	4:45	me	walk
	Willa	6:00	7:00	7:40		8:15	4:50	me	walk
	Gabrielle	6:50	7:40	7:10		8:19	4:33	me	walk
	Twilio	6:30	7:45	7:30		8:20	4:30	me	one
	OSCAR	6:15	8:00	7:30		9:00	4:10	me	one



## APPENDIX C: SHADOW STUDY

<p><b>DECLARATION</b></p> <p>I hereby declare that the information furnished on this form is true and correct to the best of my knowledge and belief, and that I am not aware of any information which would render this statement false or misleading.</p> <p><b>SIGNATURE OF SUBSCRIBER</b></p> <p>_____          (Print Name and Title)</p>		<p><b>DATE</b></p> <p>_____          (Month/Day/Year)</p>
<p><b>DECLARATION</b></p> <p>I hereby declare that the information furnished on this form is true and correct to the best of my knowledge and belief, and that I am not aware of any information which would render this statement false or misleading.</p> <p><b>SIGNATURE OF SUBSCRIBER</b></p> <p>_____          (Print Name and Title)</p>		<p><b>DATE</b></p> <p>_____          (Month/Day/Year)</p>





#### Contacts

##### Registered Owner

James Bay Child Care Society  
149 Montreal Street  
Victoria, BC  
V8B 1Y8

Phone: 250-384-7893  
Fax: 250-384-7893

##### Architect

D'Ambrosio Construction & Design  
149 Montreal Street  
Victoria, BC  
V8B 1Y8

Phone: 250-384-7893  
Fax: 250-384-7893

#### List of Drawings

##### Architectural

- A01: Cover Sheet
- A11: Site Location & Neighbourhood Map
- A21: Floor Plans & Site & Landscaping Plan
- A31: Floor Plans & Elevation
- A41: Building Footprints & Section

**James Bay Child Care Society**  
**149 Montreal Street**  
Victoria, BC

## Rezoning Application

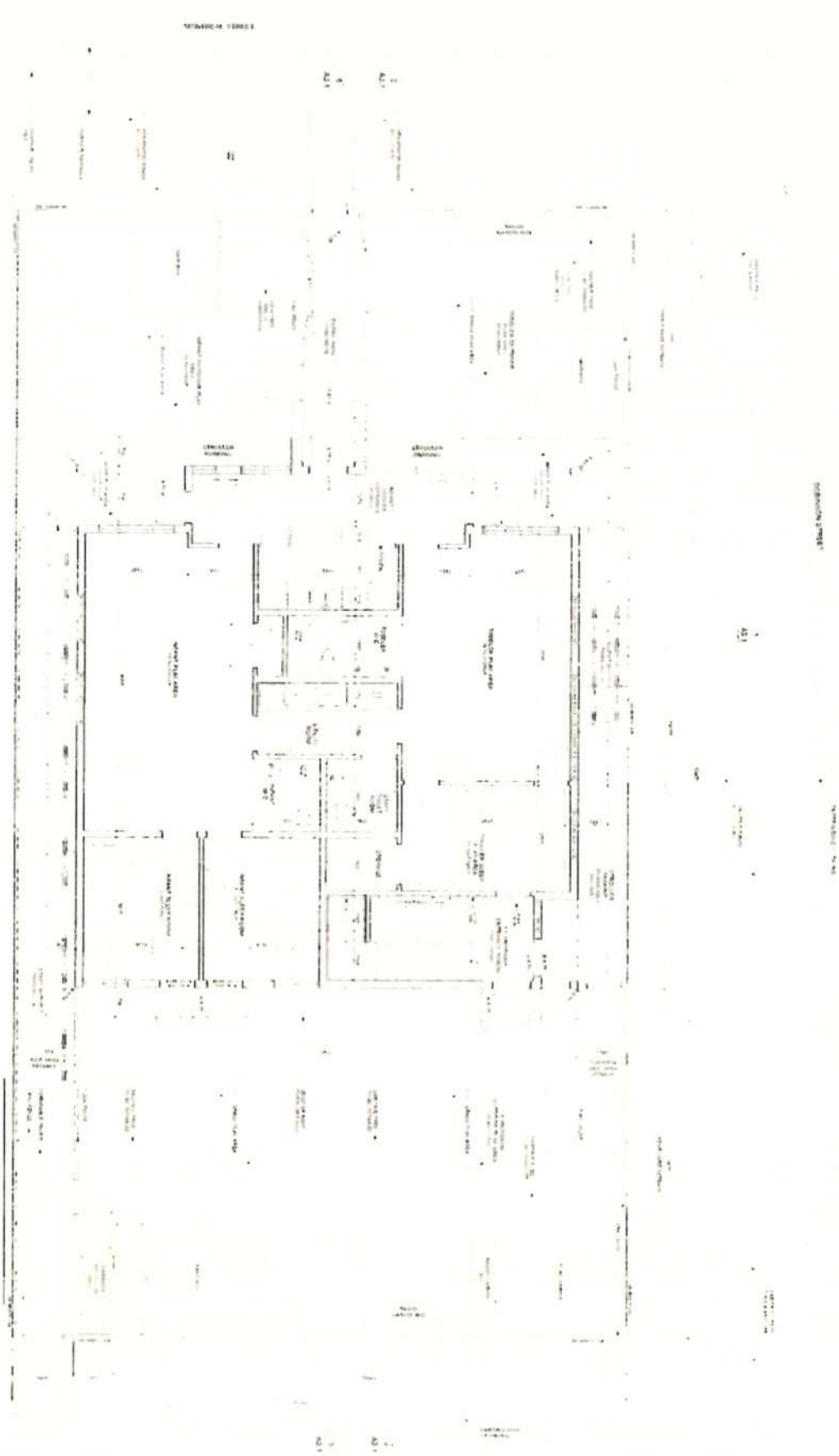
**D'AMBROSIO 1414**

2860 Julian Road  
Victoria BC Canada V8T5K2  
Tel: 250 384 2400  
Fax: 250 384 7893  
Email: mail@ford.ca  
Web: www.ford.ca

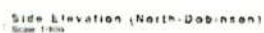
**5 August 2014**

[illegible]



[illegible]





**PLEASE NOTE**

Group members' attitudes and perceptions of the training are related to satisfaction and are not a net effect of individual characteristics (e.g., extraversion).

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1. **Accounting systems:** 2 Aug.

연도	인구(백만 명)	면적(천 제곱마일)
1950	1.5	3.6
1960	2.0	3.6
1970	2.5	3.6
1980	3.0	3.6
1990	3.5	3.6
2000	4.0	3.6
2010	4.5	3.6
2020	5.0	3.6

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1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 26

2000 年 12 月

JAMES BAY CHILD CARE SOCIETY

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1999

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Building Elevations • Section

14

Region	Population	Area	Population Density
North	10,000,000	1,000,000	10
South	20,000,000	2,000,000	10
East	30,000,000	3,000,000	10
West	40,000,000	4,000,000	10
Central	50,000,000	5,000,000	10

180 70 July 2011

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**JBNA**

## **James Bay Neighbourhood Assoc.**

234 Menzies St  
Victoria, B.C.  
V8V 2G7

[www.jbna.org](http://www.jbna.org)

**Received**  
City of Victoria

AUG 19 2014

Planning & Development Department  
Development Services Division

Mayor and Council  
#1 Centennial Sq.  
Victoria BC

August 19 th, 2014

Re: Day Care at 149 Montreal St – Rezoning proposal R1T8 to R1TB

At JBNA General Meeting on August 13, plans for the above Montreal Day Care were presented by Matthias Herborg, Director James Bay Childcare Society and Wendy Lowe, President James Bay Childcare Society. Plans were presented for review and proposal was generally well accepted. The following is from minutes of this meeting.

JB Childcare Society has been a day care site for 15 years and is a not for profit organization established by neighbourhood families.

Current facility provides day care for children 0 to 18 mos. and 18 mos. to 3 yrs. of age. Expansion is needed to accommodate children from ages 3 yrs. to 5yrs.

Current facility is governed by licensing with restrictions for expansion. VIHA licensing currently is for maximum capacity of 15 children and day care wants to expand to 32.

Pick-up/drop-off over 2 hr. period in am and pm: 8am to 10:30am and 3:30pm to 5:30. No noise at night or weekends. Bike lock-up and staff are encouraged to use bus.

### Questions (Q) and Comments (C)

C – valuable service for community – strongly supports

Q – strong need for space not only in JB but in Victoria as a whole

Q – where will locate during construction? – will rent in alternate location

Q – is there a waitlist in JB? – Can only speak to their waitlist 48 families

C – signage at MacDonald Park should be clear that parking is permitted – City should relax

Q – is the rezoning site specific – yes to allow for the number of children

In addition to the above presentation and comments from those in attendance, we did receive attached email from a resident on Montreal Street. I have removed name and address for privacy concerns.

Tom Coyle, Vice Chair JBNA

*Hi*

*I can not attend the meeting re-day care expansion on Montreal Street but I did want to let you know that I am not in favour of it.'*

*We have enough noise in this neighbourhood. We have the German and Polish clubs on Niagara Street and right across the street from me I have the James Bay Athletic Club. The JBAA are a huge thorn in my side with their noise of dropping barbells and weights all hours of the day and night . They wouldn't want to be woken up at 6am to a boot camp across the street from them. Not to mention they have zumba exercises with loud music, and they rent out their hall for parties as well.*

*The parking on Montreal Street is very limited since they put sidewalks in. Before the sidewalks went in the day care had cars parked all over the front area and people and kids running all over the street making it hard to pass with oncoming traffic.*

*Bottom line we do not need MORE noise in this neighbourhood we need less. It's still classed as a neighbourhood isn't it ?, or has it gone commercial.*

*Resident on Montreal Street*

### 3. DECISION REQUEST

#### 3.1 Rezoning Application No. 00458 for 149 Montreal Street

Committee received a report dated October 2, 2014 which provided information, analysis and recommendations regarding a Rezoning Application for the property located at 149 Montreal Street. The existing property is currently used as a daycare accommodating up to 15 children. The application proposes to replace the existing building with a new two-storey daycare facility that will accommodate up to 32 children.

**Action:**

It was moved by Councillor Coleman, seconded by Councillor Helps, that Committee recommends that Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00458 for 149 Montreal Street, subject to:

1. The submission of revised plans that demonstrate that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. A Section 219 Covenant to secure the proposed building design being registered on title, to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

Committee discussed:

- Shadowing of neighbouring areas as the building is tall. The steep roof peak was designed to reduce any shadowing.
- Parking requirements need to be clearer to enable public input.
- James Bay is becoming a family neighbourhood and this proposal is responding to the need for childcare.
- The suitability for the site since it is near parks and a school.
- The expanded use is supported in the OCP and local area.
- Proposal requires no variances.

CARRIED UNANIMOUSLY 14/PLUC0259

PLUC meeting  
October 16, 2014



## REPORTS OF THE COMMITTEE

### 2. Planning and Land Use Committee – October 16, 2014

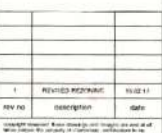
#### 2. Rezoning Application No. 00458 for 149 Montreal Street:

It was moved by Councillor Helps, seconded by Councillor Alto that Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00458 for 149 Montreal Street, subject to:

1. The submission of revised plans that demonstrate that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. A Section 219 Covenant to secure the proposed building design being registered on title, to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

Carried Unanimously

Council meeting  
October 23, 2014



project name  
**JAMES BAY CHILD CARE SOCIETY**  
 149 Montreal Street  
 sheet title  
**Floor Level 1 / Site Plan**  
 project no.  
 5414  
 drawing file  
 date  
 24 July 2014  
 scale  
 1:50  
 drawn by  
 checked by  
 FDA  
 registration no.  
 sheet no.  
 A2.1

**BUBBLED**



Jun-17-2016 12:37:08.002

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## LAND TITLE ACT

## FORM C (Section 233) CHARGE

## GENERAL INSTRUMENT - PART 1 Province of British Columbia

PAGE 1 OF 21 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

Lisa Gail van  
den Dolder  
A96H7M

Digitally signed by Lisa Gail  
van den Dolder A96H7M  
Date: 2016.06.16 14:18:51  
-07'00'

## 1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Lisa van den Dolder

Carvello Law Corporation

203-1005 Broad Street

Victoria

BC V8W 2A1

250-590-7230

Infant Plus

(149 Montreal St)

Document Fees: \$143.16

Deduct LTSA Fees? Yes ☒

## 2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

005-954-461

LOT 1, SECTION 25, BECKLEY FARM, VICTORIA CITY, PLAN 5275

STC? YES ☐

## 3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

SEE SCHEDULE

## 4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

## 5. TRANSFEROR(S):

**JAMES BAY CHILD CARE SOCIETY (INC. NO. 12,658); AND COAST CAPITAL SAVINGS  
CREDIT UNION (AS TO PRIORITY)**

## 6. TRANSFEREE(S): (including postal address(es) and postal code(s))

THE CORPORATION OF THE CITY OF VICTORIA

1 CENTENNIAL SQUARE

VICTORIA

BRITISH COLUMBIA

V8W 1P6

CANADA

## 7. ADDITIONAL OR MODIFIED TERMS:

## 8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

LISA VAN DEN DOLDER

Barrister &amp; Solicitor

CARVELLO LAW CORP.

203-1005 BROAD ST

VICTORIA, BC V8W 2A1

(250) 590-7230

(as to both signatures)

Execution Date

Y	M	D
16	05	27

Transferor(s) Signature(s)

JAMES BAY CHILD CARE  
SOCIETY (INC. NO. 12,658)

Rosalie Chartrand-Rodrigue

Caitlin Lemiski

## OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.



**LAND TITLE ACT**  
**FORM 1 (Section 23(1) FARIO)**  
**GENERAL INSTRUMENT - PART 1 - Province of British Columbia**

Page 1 of 21 Pages

Your electronic signature is a legal declaration that you are a subscriber as defined by the Land Title Act (MLBC) and that you have applied your electronic signature in accordance with the Act and a true copy of the form is on file in your possession.

APPLICANT: Name of person or group member or applicant (applicant's name is optional)

Lisa van den Dolder

Carvello Law Corporation

203-1005 Broad Street

Victoria

BC V8W 2A1

250-590-7230

Infant Plus

(149 Montreal St)

Date: 11/15/2005 ☒

PART 1 IDENTIFIER AND LEGAL DESCRIPTION OF LAND  
 (PID) (LEGAL DESCRIPTION)

005-954-461

LOT 1, SECTION 25, BECKLEY FARM, VICTORIA CITY, PLAN 5275

SEC YES ☐

NATURE OF INTEREST

CHARGE NO

ADDITIONAL INFORMATION

SEE SCHEDULE

TERMS: Part 2 of this instrument consists of terms and only

on ☐ (Print Name) (Charge) (Legal Description)

(b) ☒ (Print Name) (Charge) (Legal Description) (Plan)

A schedule of the terms and conditions of the instrument is attached to this instrument as a schedule referred to in the instrument.

TRANSFERS TO:

**JAMES BAY CHILD CARE SOCIETY (INC. NO. 12,658); AND COAST CAPITAL SAVINGS CREDIT UNION (AS TO PRIORITY)**

TRANSFERS TO: (including postal addresses and postal codes)

**THE CORPORATION OF THE CITY OF VICTORIA**

1 CENTENNIAL SQUARE

VICTORIA

V8W 1P6

BRITISH COLUMBIA

CANADA

ADDITIONAL OR MODIFIED TERMS

EXCEPTIONS: The instrument is not subject to the provisions of the Land Title Act (MLBC) and the instrument and every other instrument referred to in the instrument are subject to the provisions of the Land Title Act (MLBC) and the instrument and every other instrument referred to in the instrument are subject to the provisions of the Land Title Act (MLBC).

Original Signatures:

*Lisa van den Dolder*  
 LISA VAN DEN DOLDER  
 BARRISTER & SOLICITOR  
 CARVELLO LAW CORP.  
 203-1005 BROAD ST  
 VICTORIA, BC V8W 2A1  
 (250) 590-7230

(as to both signatures)

Execution Date:

Y M D  
 16 05 27

Transferee Signature:

JAMES BAY CHILD CARE SOCIETY (INC. NO. 12,658)

*Rosalee Chartrand-Rodriguez*  
 Print Name: Rosalee Chartrand-Rodriguez

*Carlin Leviski*  
 Print Name: Carlin Leviski

DETERMINED BY:

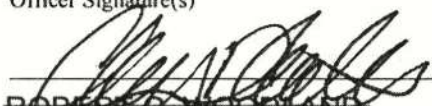
Your signature on this instrument is a legal declaration that you are a subscriber as defined by the Land Title Act (MLBC) and that you have applied your electronic signature in accordance with the Act and a true copy of the form is on file in your possession.

LAND TITLE ACT  
FORM D

## EXECUTIONS CONTINUED

PAGE 2 of 21 PAGES

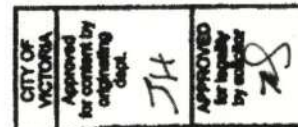
Officer Signature(s)

  
 ROBERT G. WOODLAND  
 Christopher D. Cortes  
 Commissioner for Taking Affidavits in British Columbia
#1 Centennial Square  
Victoria, BC V8W 1P6

Execution Date

Y	M	D
15 16	06	10

Transferor / Borrower / Party Signature(s)

THE CORPORATION OF THE CITY  
OF VICTORIA by its authorized  
signatory:
  
 MAYOR LISA HELPS
MAYOR LISA HELPS  
#1 Centennial Square  
Victoria BC V8W 1P6

## OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT  
FORM D

## EXECUTIONS CONTINUED

PAGE 3 of 21 PAGES

Officer Signature(s)

Execution Date

Transferor Borrower Party Signature(s)

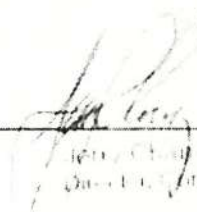


SUSIE COLLINS Exp. Dec. 31, 2016  
 A Commissioner for Taking Affidavits  
 For the Province of British Columbia  
 800 - 9900 King George Blvd  
 Surrey, B.C. V3T 0K7  
 Phone (604) 517-7380

Y	M	D
18	03	14
16		

Coast Capital Savings Credit Union (As  
 to Priority), by its authorized signatory  
 (ies):

Name:

  
 Sr. Manager, Commercial Credit

Name:

William Li  
 Sr. Manager, Commercial Credit

(as to both signatures)

## OFFICER CERTIFICATION

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act* R.S.B.C. 1996, c.121 to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.



LAND TITLE ACT  
FORM E

## SCHEDULE

PAGE 4 OF 21 PAGES

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Covenant

Section 219; Entire Document, except Page 9

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Priority Agreement

Granting the within Section 219 Covenant priority  
over Mortgage EM105431 and Assignment of  
Rents EM105432, Page 9

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

---

THIS AGREEMENT (the "**Agreement**") dated for reference 3<sup>rd</sup> day of June, 2015.

BETWEEN:

James Bay Child Care Society  
149 Montreal Street  
Victoria, BC, V8V 1Y8

(the "**Owner**")

AND:

The Corporation of the City of Victoria  
1 Centennial Square  
Victoria, BC V8W 1P6

(the "**City**")

**W H E R E A S:**

- A. The Owner is the registered owner in fee-simple of those lands and premises located within the City of Victoria, in the Province of British Columbia, more particularly described as:

PID 005-954-461

LOT 1, SECTION 25, BECKLEY FARM, VICTORIA CITY, PLAN 5275

(the "**Lands**");

- B. The Owner has applied to the City for an amendment to the City's Zoning Regulation Bylaw No. 80-159 in relation to the Lands to permit a day care that accommodates not more than 32 children, as set out in draft City of Victoria Zoning Regulation Bylaw, Amendment Bylaw (No.1035) (the "**Zoning Amendment Bylaw**");
- C. The Owner acknowledges that it is in the public interest that the development and use of the Lands be limited and wishes to grant this covenant to the City;
- D. Section 219 of the *Land Title Act* provides that a covenant, whether of negative or positive nature,
- in respect of the use of land or the use of a building on or to be erected on land;
  - that land is to be built on in accordance with the covenant;
  - that land is not to be used, built on or subdivided;

8. The Owner shall indemnify and save harmless the City and each of its elected and appointed officials, officers, employees, agents and contractors, from any and all claims, causes of action, suits, demands, fines, penalties, costs or expenses or legal fees whatsoever which anyone has or may have, whether as owner, occupier or user of the Lands, or by a person who has an interest in or comes onto the Lands, or otherwise, which the City incurs as a result of any loss or damage or injury, including economic loss, arising out of or connected with:
  - (a) the breach of any covenant in this Agreement;
  - (b) the use of the Lands contemplated under this Agreement; and
  - (c) restrictions or requirements under this Agreement.
9. The Owner hereby releases and forever discharges the City and each of its elected and appointed officials, officers, employees, agents and contractors, of and from any claims, causes of action, suits, demands, fines, penalties, costs or expenses or legal fees whatsoever which the Owner can or may have against the City for any loss or damage or injury, including economic loss, that the Owner may sustain or suffer arising out of or connected with:
  - (a) the breach of any covenant in this Agreement;
  - (b) the use of the Lands contemplated under this Agreement; and
  - (c) restrictions or requirements under this Agreement.
10. At the Owner's expense, the Owner must do everything necessary to secure priority of registration and interest for this Agreement and the Section 219 Covenant it creates over all registered and pending charges and encumbrances of a financial nature against the Lands.
11. Nothing contained or implied herein will derogate from the obligations of the Owner under any other agreement with the City or prejudice or affect the City's rights, powers, duties or obligations in the exercise of its functions under any enactment and the rights, powers, duties and obligations of the City under all public and private statutes, by-laws, orders and regulations, which may be as fully and effectively exercised in relation to the Lands as if this Agreement had not been executed and delivered by the Owner and the City.
12. Where the City is required or permitted by this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent, the Owner agrees that the City is under no public law duty of fairness or natural justice in that regard and agrees that the City may do any of those things in the same manner as if it were a private party and not a public body.
13. Time is of the essence of this Agreement.
14. The Owner covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions set out in



### CONSENT AND PRIORITY AGREEMENT

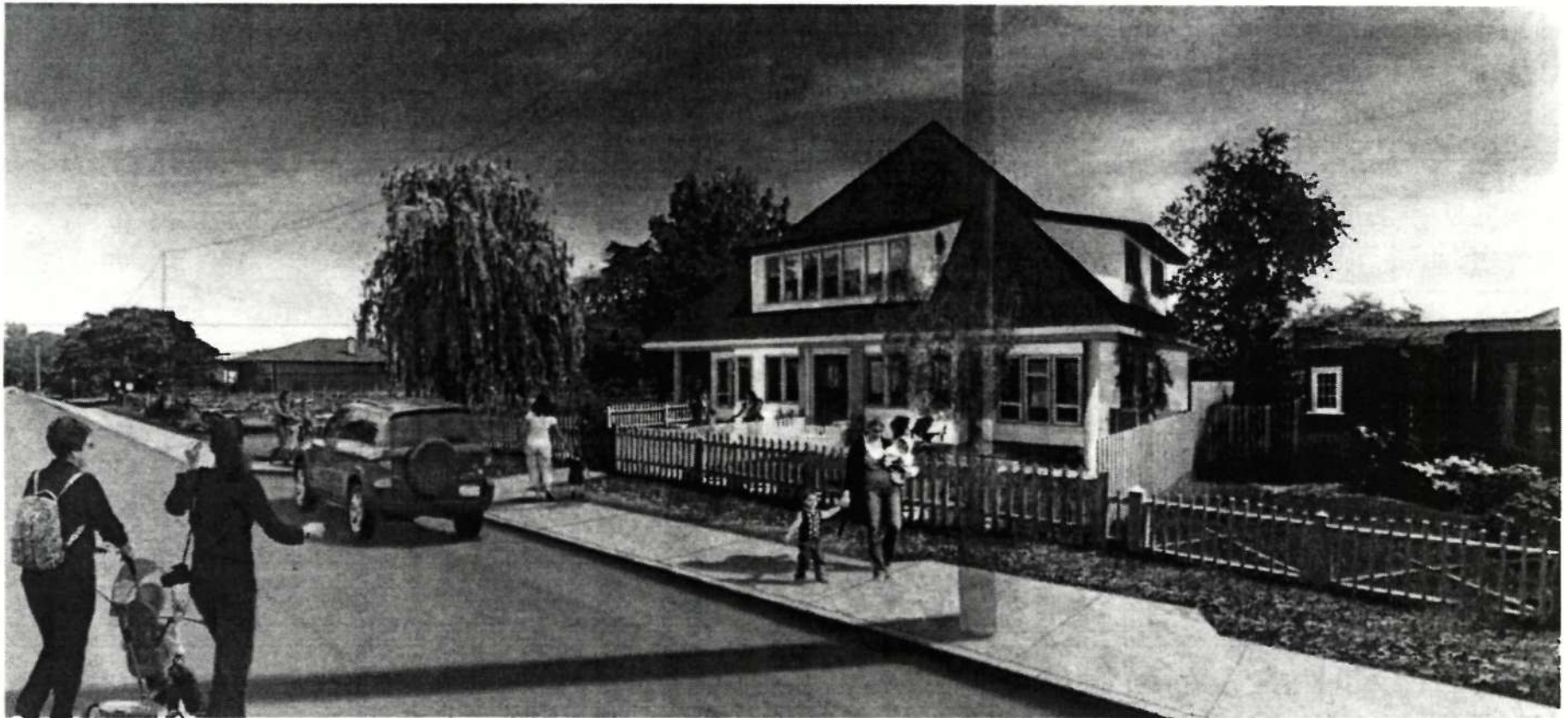
In this Consent and Priority Agreement:

- (a) "City" means the Corporation of the City of Victoria;
- (b) "Existing Charges" means the Mortgage registered under number EM105431 and Assignment of Rents registered under number EM105432;
- (c) "Existing Chargeholder" means Coast Capital Savings and Credit Union;
- (d) "Lands" means the land described in Item 2 of the attached General Instrument - Part 1;
- (e) "New Charge(s)" means the Restrictive Covenant registered, or to be registered, in the Victoria Land Title Office on title to and charging the Lands in favour of the City and described in Item 3 of the attached General Instrument - Part 1;
- (f) "Owner" means the transferor(s) described in Item 5 of the attached General Instrument - Part 1;
- (g) words capitalized in this Consent and Priority Agreement, not otherwise defined herein, have the meaning ascribed to them in the attached Terms of Instrument - Part 2.

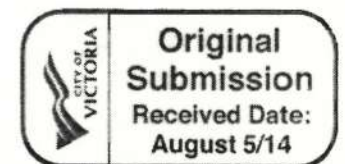
For \$1.00 and other good and valuable consideration, the receipt and sufficiency of which the Existing Chargeholder acknowledges, the Existing Chargeholder:

- (i) consents to the Owner granting the New Charge(s) in favour of the City; and
- (ii) agrees with the City that the New Charge(s) charge the Lands in priority to the Existing Charges in the same manner and to the same effect as if the Owner had granted the New Charge(s), and it had been registered against title to the Land, prior to the grant or registration of the Existing Charges or the advance of any money under the Existing Charges.

IN WITNESS WHEREOF, the Existing Chargeholder has caused its duly authorized signatory(ies) to execute the attached General Instrument - Part 1 (Form D).

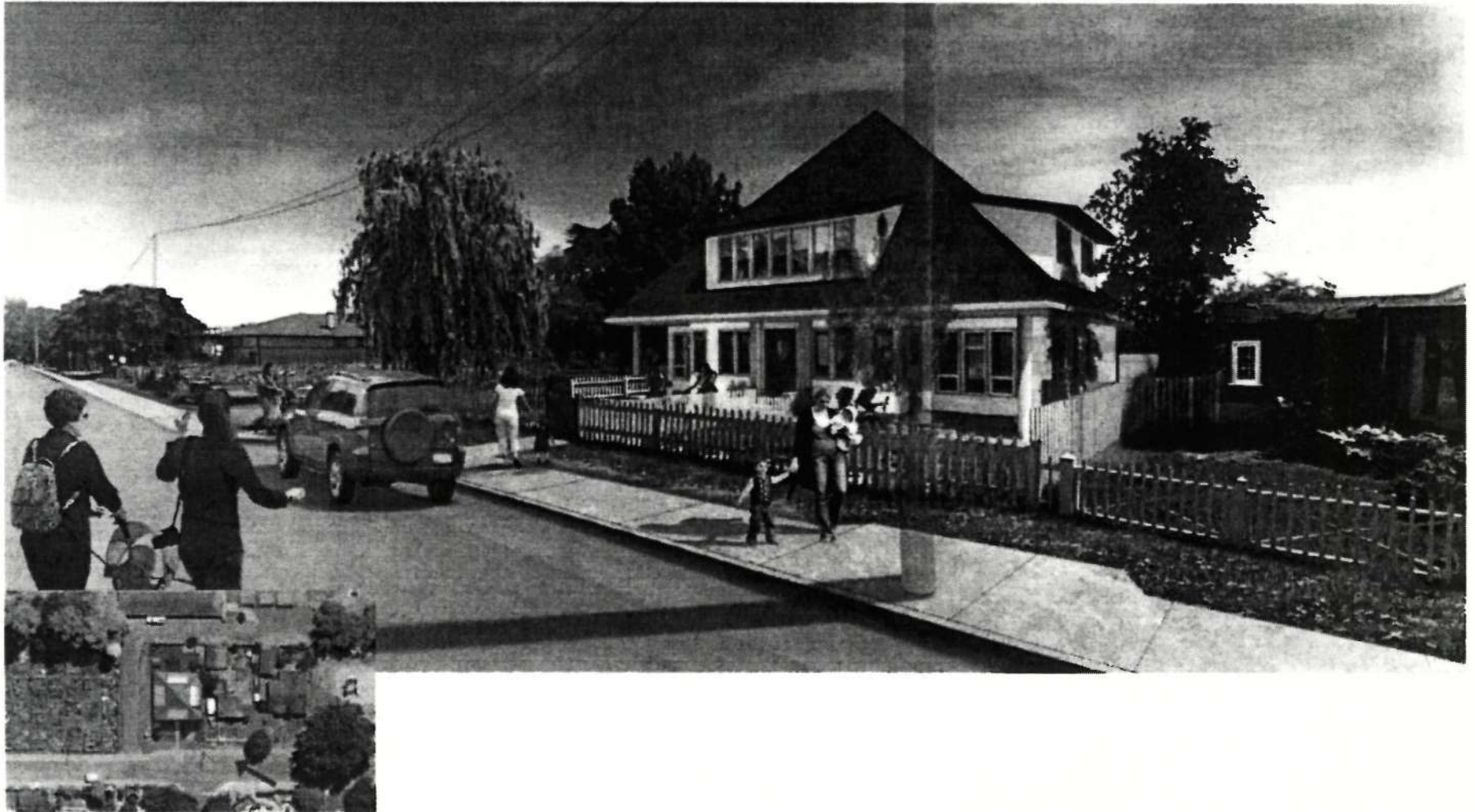



**James Bay  
Child Care Society**  
 D'AMBROSIO  
ARCHITECTURE & URBANISM



Planning & Land Use Committee  
 October 16, 2014





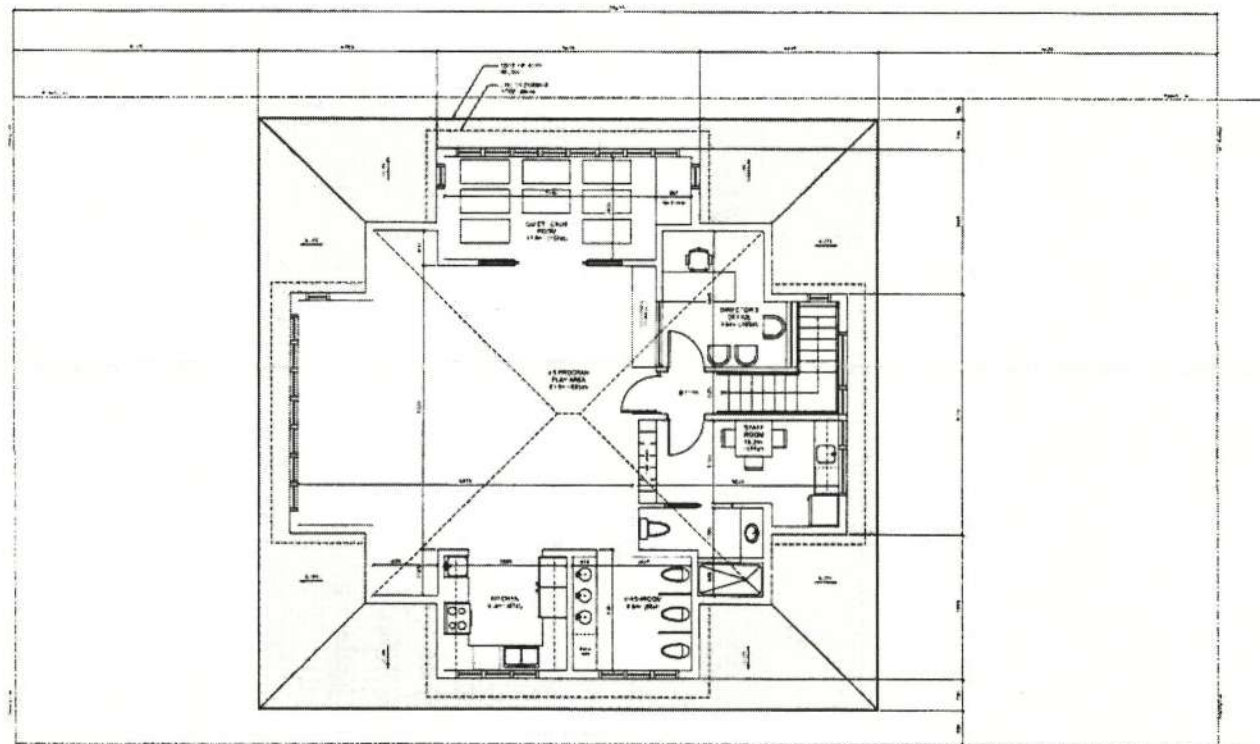


PROJECT DATA

Level 2 Second Floor Area: 1800 sq. ft. (2004)  
 Level 2 Second Floor Area: 1800 sq. ft. (2004)  
 Date: 08/04/14  
 Drawing Title: 2nd Floor Plan

PLEASE NOTE

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NO.	REVISION	DATE
1	Revised for construction	8 Aug 2014

PROJECT NAME  
 JAMES BAY CHILD CARE SOCIETY  
 149 Memorial Street  
 Suite 201  
 Floor Level 2 Plan

PROJECT NO.  
 1814

DRAWING NO.  
 Schematic Plans

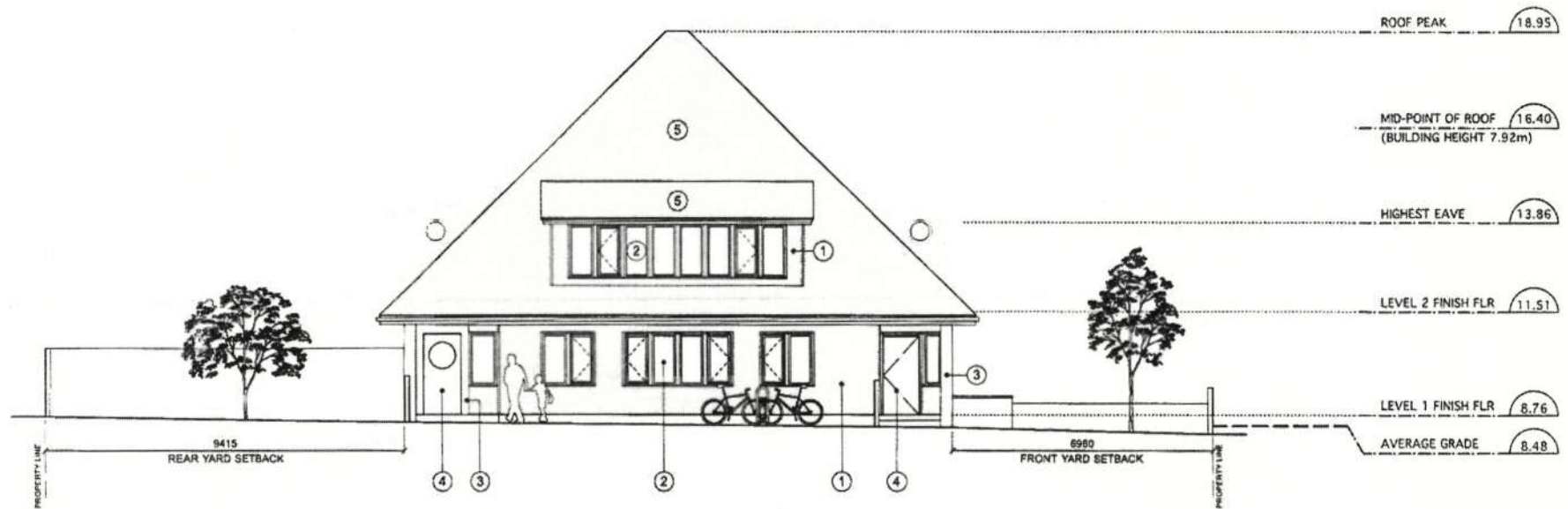
DATE  
 30 July 2014

SCALE  
 1/32

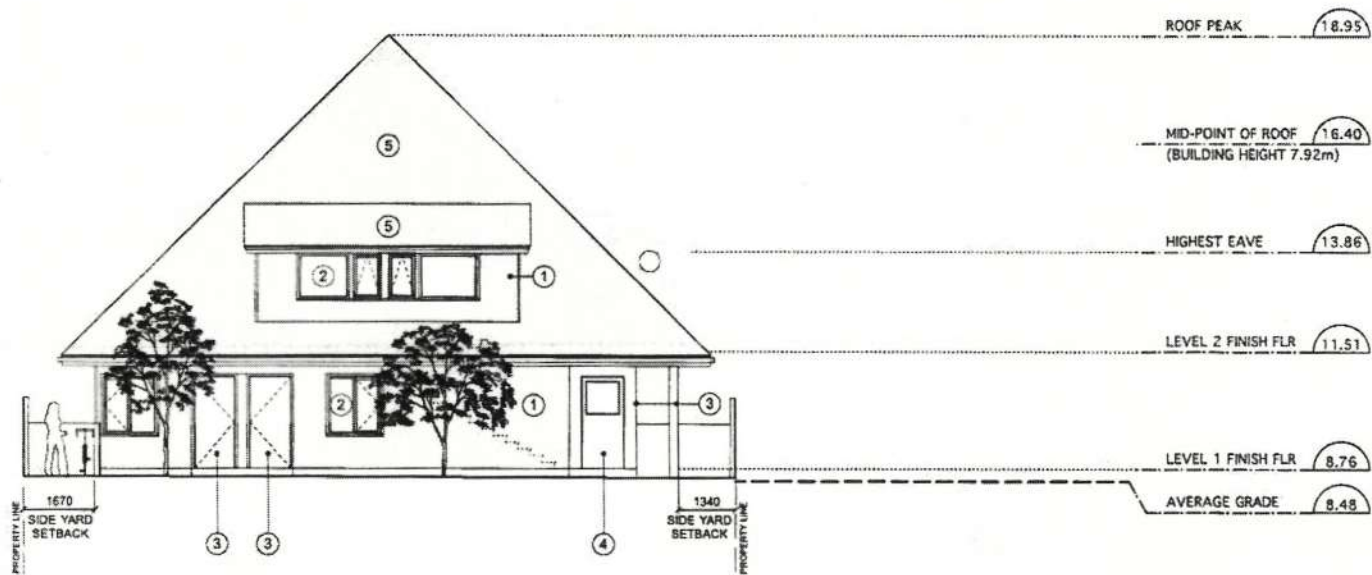
DESIGNED BY  
 DHI

CHECKED BY  
 PJA

APPROVED BY  
 A2.2

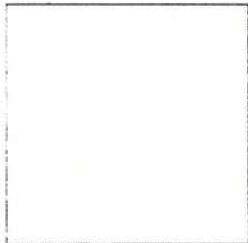
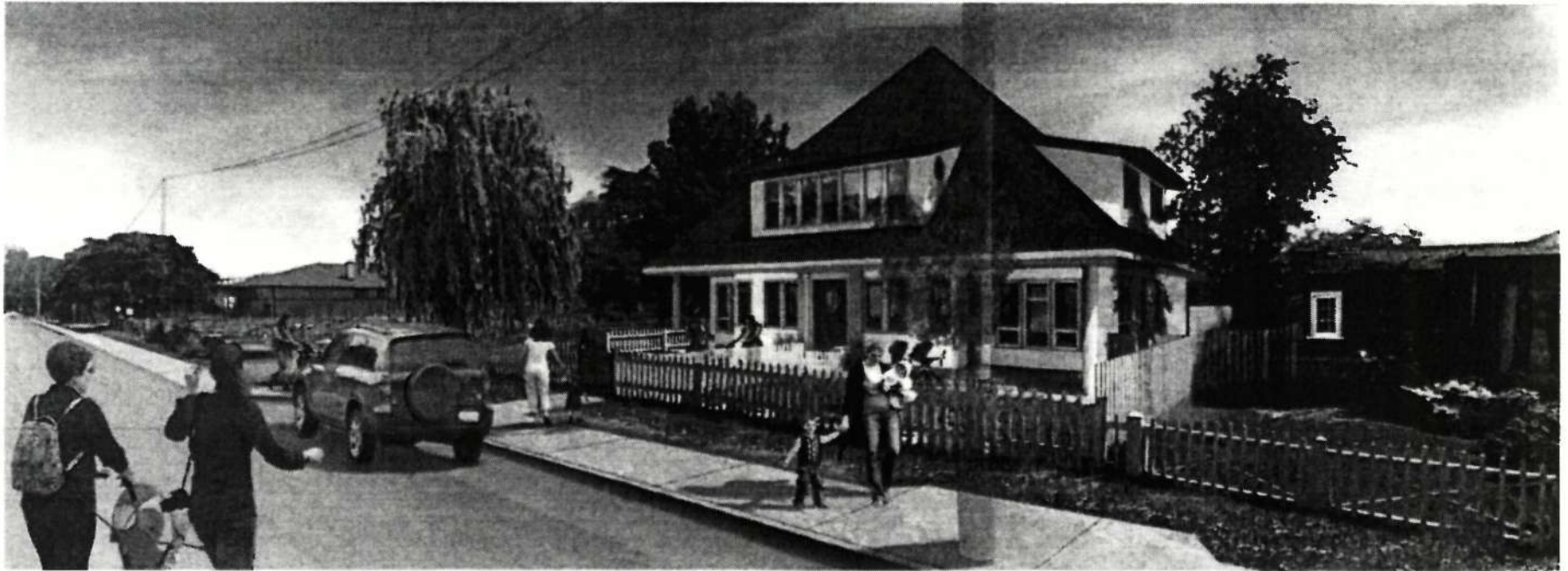


1 Side Elevation (North-Dobinson)  
Scale: 1:100

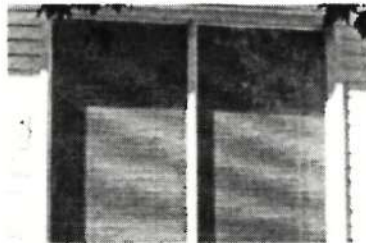


4 Rear Elevation (East - Lane)  
Scale: 1:100

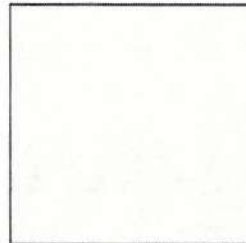




1. CLADDING:  
WHITE PAINTED  
CEMENT BOARD



2. WHITE FRAMED WINDOWS



3. PAINTED TRIM



4. ENTRY DOORS:  
ACCENT PAINT



5. ROOF: BLACK FIBERGLASS  
SHINGLES

**November 07, 2014**

**Attention Mayor and Council, City of Victoria**

Dear Mayor and Council,

As property owners immediately adjacent to 149 Montreal Street, please consider this letter to be our unified response to rezoning proposal # 00458. It is recognized that child care is very important to many families and we wish to applaud the James Bay Child Care Society for their dedication to quality and their expansion efforts.

With this rezoning, the society seeks to alter the existing R1-8 zoning for 149 Montreal Street to one that will accommodate up to 32 children. 6 full time staff will be required to look after these children for a total of 38 on the premises during operating hours. 32 children appears to be the maximum permitted under current VIHA licensing guidelines and requires virtually every m<sup>2</sup> of available space be dedicated to the cause. With 38 people on only 500 m<sup>2</sup>, land-use intensity seems to exceed any other comparable daycare in the city, and the building proposed for the site needs to extend beyond the maximum permissible height, and front and side setbacks.

The applicants are also seeking a release from customary frontage upgrades and all parking requirements for its staff as the site has none to offer. In addition, the applicants suggest the neighbourhood can accommodate the traffic flows that will result from the drop-off and pick-up of 32 children each day without risk.

The streets surrounding 149 Montreal Street are full of competing uses. Already a very dense neighbourhood, residents and visitors frequent the community gardens and tennis courts, play-parks and open fields. Summertime brings the cruise ships, taxi traffic and horse-drawn carriages. Evenings bring crowds to facilities like the White Eagle Hall, the James Bay Athletic Association and the Edelwiess Club, while weekends typically see very large crowds from sporting and special events in MacDonald Park.

While it is clear that many bylaws and regulations need to be overlooked, we wish to support the James Bay Child Care Society with their plans but request the following alterations in order to maintain neighbourhood balance:


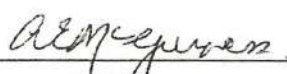

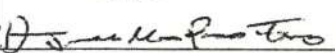
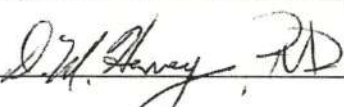

Page 1 of 2



While it is clear that many bylaws and regulations need to be overlooked, we wish to support the James Bay Child Care Society with their plans but request the following alterations in order to maintain neighbourhood balance:

- 1) The maximum number of children permitted should be limited to 24 (thereby limiting the parking and traffic congestion and accident potential).
- 2) The hours of operation for the daycare should be limited to 8:30- 5:30 Monday through Friday.
- 3) That the city re-investigate traffic calming measures for Montreal Street, Dobninson Street and the lane adjacent to MacDonald Park.

Sincerely,

Name	Signature	Address
Nicholas Read (E family)		145 Montreal St.
JIM & ANGELA McQUINNESS		118 MONTREAL ST.
Elin BJARNASON		141 Montreal St.
JOSE ESPARZEN (E family)		200 NIAGARA ST.
PETER DENT / DOROTHY HARVEY		147 LADYSMITH ST.
JN Little / D. Lombardens		206 Niagara St.



## Jim Handy

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**From:** ~~Nicholas Reed - nicholasreed@shaw.ca~~  
**Sent:** Monday, Nov 17, 2014 7:21 AM  
**To:** Jim Handy  
**Subject:** rezoning application for 149 Montreal Street  
**Attachments:** 149 Montreal rezoning application response.pdf

Hello Jim,

Since our visit several weeks ago, I have had the opportunity to look at the rezoning application for 149 Montreal Street in more depth, and wish to relay a few of my thoughts to you. Most of the immediate property owners also expressed some concerns - captured in the attached joint letter. Please excuse the lengthy email, but I am compelled to articulate the rationale for our concerns - and some of the frustration to this point.

1. Neighbourhood Consultation. Despite the application submission date of Aug 5, none of the immediate neighbours listed in the attached letter have been contacted by the applicants. The James Bay Child Care Society ( JBCCS ), we feel, has taken some liberties with their statement suggesting a 'vast majority' of neighbours have confirmed their support - providing a letter with various signatures as evidence. Of the 26 names on this list, most live far away from the immediate area and would not be subject to any of the challenges imposed by the daycare expansion. While I can't speak to all the names on the list, I can't help noticing that 5 of the 26 all originate from the same household - something that jumped out to me as they seem to be linked to the JBCCS Board Chair( Mathias Herborg ) - who signed twice *and* listed his children ( Dylan and Maya ) who, I believe, actually attend the daycare. More related to my personal frustration, is acknowledgement by the applicants ( on page 6 of their letter ) that my home ( 145 Montreal St. ) will be the site most impacted by the development - yet the only conversation that has taken place was at my request 2 weeks ago.
2. Site usage - 32 children, 6+ staff and 32 parents. As supportive of daycare as we can be, the absolute number of children and staff who will occupy the site is a bit shocking to everyone. 32 children plus 6 full time staff? Add the parents in the morning and evening and there could be 70 people moving in and out of the building. To be quite frank, it represents a land use intensity that is hard to believe is even being considered. Assuming this application is only moving forward due to the larger societal need for childcare - and with an interest in understanding how this proposal might align ( or not ) with other daycares in the city, we took a closer look at the list of 'comparables' offered by the applicants in their letter to council. Of the 12 child care facilities listed;
  - a. 3 are located in commercial buildings downtown - the Victoria Children's Center, Freedom Childcare Services and Centennial Daycare - and really not comparable at all.
  - b. 1 is the Cridge Center - and not comparable at all
  - c. 1 is in a Community Center - Fernwood NRG
  - d. 2 are in Church basements - Carousel Child Care Center and Little Hands Child Care.

Of the 5 remaining daycares, 4 seem to exist in a residential neighbourhood despite an R2 or R1-A zoning ( Springridge @ 1222 Gladstone, Rainbow Express @ 433 Kingston, Christchurch Junior Kindergarten @ 520 Niagara and Castlerview @ 1075 Joan Cres. ), which only seems possible if the house conversion guidelines from schedule G were employed - bypassing public input or planning oversight. I am missing sufficient background knowledge to understand the role that schedule G plays in the city, but it is clear that two of its requirements are a lot size of at least 670 m<sup>2</sup>, and a minimum lot width of 18m. In attempting to understand how 38 people plus 32 more at pick up and drop off could fit within a residential context, lot size seems to be



significant. Notwithstanding VIHA licencing regulations, the 4 daycares listed above operate on considerably larger lots than 149 Montreal Street - additional space that provides a much need buffer for neighbours.

Center	Address	Approx. Lot Size ( m <sup>2</sup> )	# children
Infant Plus	149 Montreal St	500	32 ( proposed )
Rainbow Express	433 Kingston	745	32
Castleview	1075 Joan Cres.	680	30
Christchurch	520 Niagara	1025	24
Springridge	1222 Gladstone	600	30

That leaves 1 daycare, ABC Infant and Toddler at 2700 Scott Street. This appears to be the only daycare from the list - in a residential setting- that has been through an intentional and public rezoning process, resulting in R1-SDC. The site for this project is similar in many ways to 149 Montreal St - it is on a small corner lot ( approx. 500 m<sup>2</sup>) and it is adjacent to a public park ( and the borrowed parking ) - yet the zoning allows for a maximum of 20 children.

3. Parking and Traffic. There can be no question that the impact of the drop off and pick up of 32 children will affect the neighbourhood. The applicants have made the argument that these times are both short and staggered - based on patterns observed with 7 or 8 children in attendance. Traffic congestion only occurs when capacity is *exceeded* and while the neighbourhood can accommodate the current traffic flows, a 4-fold increase seems likely to a) occupy all available residential parking spots at exactly the same time residents typically arrive home from work and b) add to the vehicular and pedestrian traffic on an already busy street that suffers from excessive speeding.

Parking for staff is another issue entirely, and if the city is willing to waive all requirements for staff parking, it should be recognized that some of the public parking spaces in nearby lots will be dedicated to this purpose. As mentioned in #2 above, the applicants made a point of suggesting that few daycares in the city have staff parking - yet 3 of those are in commercial buildings downtown - and 1 of those is immediately adjacent to a public parkade. As another example, the applicants suggest the Rainbow Express facility has no parking, yet a quick look at VicMap clearly shows paved, onsite parking for at least 2 vehicles. It is with frustration that I discovered some of the claims by the applicants to be misleading, and in some cases, simply incorrect.

4. Evening and weekend use. All arguments made regarding the capacity of the neighbourhood to absorb parking and traffic increases immediately fall short when considering evening and weekend use - as the areas is exceedingly busy with other users during those times. In addition, local residents will need some respite from the activity and noise generated by the daycare - evenings and weekends being times when residential use should become the priority.
5. The building. While it is clear that the proposed building is residential in appearance, its construction requires a footprint that extends into the setbacks on the front and the North ( by over 2m ). This means the building will be within 6 feet of the shared property line on one side and roughly 4 feet on the other... dimensions that suggest too much is being asked of a very small lot. In reality, some have expressed concern that the North entrance will simply end up 'appropriating' the use of the Dobinson St. boulevard as by the time a door swings open, a person will be nearly on the lot boundary. On a personal note, the massive structure will be very imposing indeed on my family's home and yard(s).

Despite the collection of issues above, no-one is opposed to daycare expansion - but all involved feel the JBCCS is pushing a bit too hard and considering the impacts on the neighbourhood too lightly. In short - we feel a reasonable compromise is required. As mentioned in the attached letter, it is therefore requested that some modifications be made to maintain neighbourhood balance, including:

- a) Limiting the number of children to 24
- b) Restricting hours of operation to 8:30-5:30, Monday through Friday

c) Traffic calming measures for Montreal Street and the lane adjacent to MacDonald Park

Finally - and beyond all issues related the proposed daycare expansion - is concern for the phrasing of the new zoning itself. Myself and other neighbours agree that any zoning changes must clearly spell out the permitted uses. In this case, that it should be used for a daycare with a maximum of 24 children up to the age of 5. Concern here stems from the fact that the property could change hands - either now or in the future - and community acceptance is fundamentally tied to the goodwill and intentions of the JBCCS. If zoning is left ambiguous enough to permit other uses - for example a care home, or a respite facility for troubled teens etc., then something could potentially shift. Other uses may well be appropriate, but they should be publically discussed and approved on their own merits via a similar rezoning process.

Thanks again for your time,

~~Nicholas Bant~~  
~~204-516-8218~~



**November 07, 2014**

**Attention Jim Handy, Senior Planner – City of Victoria**

Dear Mr. Handy,

As property owners immediately adjacent to 149 Montreal Street, please consider this letter to be our unified response to rezoning proposal # 00458. It is recognized that child care is very important to many families and we wish to applaud the James Bay Child Care Society for their dedication to quality and their expansion efforts.

With this rezoning, the society seeks to alter the existing R1-8 zoning for 149 Montreal Street to one that will accommodate up to 32 children. 6 full time staff will be required to look after these children for a total of 38 on the premises during operating hours. 32 children appears to be the maximum permitted under current VIHA licensing guidelines and requires virtually every m<sup>2</sup> of available space be dedicated to the cause. With 38 people on only 500 m<sup>2</sup>, land-use intensity seems to exceed any other comparable daycare in the city, and the building proposed for the site needs to extend beyond the maximum permissible height, and front and side setbacks.

The applicants are also seeking a release from customary frontage upgrades and all parking requirements for its staff as the site has none to offer. In addition, the applicants suggest the neighbourhood can accommodate the traffic flows that will result from the drop-off and pick-up of 32 children each day without risk.

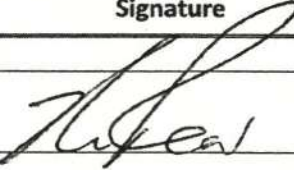
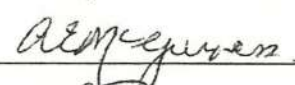

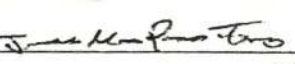
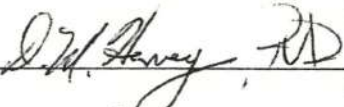

The streets surrounding 149 Montreal Street are full of competing uses. Already a very dense neighbourhood, residents and visitors frequent the community gardens and tennis courts, play-parks and open fields. Summertime brings the cruise ships, taxi traffic and horse-drawn carriages. Evenings bring crowds to facilities like the White Eagle Hall, the James Bay Athletic Association and the Edelwiess Club, while weekends typically see very large crowds from sporting and special events in MacDonald Park.

Page 1 of 2  
**November 5, 2015**

While it is clear that many bylaws and regulations need to be overlooked, we wish to support the James Bay Child Care Society with their plans but request the following alterations in order to maintain neighbourhood balance:

- 1) The maximum number of children permitted should be limited to 24 (thereby limiting the parking and traffic congestion and accident potential).
- 2) The hours of operation for the daycare should be limited to 8:30- 5:30 Monday through Friday.
- 3) That the city re-investigate traffic calming measures for Montreal Street, Dobninson Street and the lane adjacent to MacDonald Park.

Sincerely,

Name	Signature	Address
Nicholas Read (E Family)		145 Montreal St.
JIM & ANGELA McQUINNESS		118 MONTREAL ST.
Elin BJARNASON		141 Montreal St.
JOSE ESPARZ (Family)		200 NIAGARA ST.
PETER DENT / DOROTHY HARVEY		147 LADYSMITH ST.
JN Little / D. Lombardens		206 Niagara St.



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**Response to Neighbor's Letter (Rezoning # 00458)**

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February 18, 2015

**Dear Mr. Handy,**

Please find below our response to the letter submitted to you by Mr. Nicholas Read and titled "*Neighbourhood response to rezoning application #00458 for 149 Montreal Street, Victoria BC*".

**In regards to the first request** "*The maximum number of children permitted should be limited to 24 (thereby limiting the parking and traffic congestion and accident potential)*", we would like the City to consider the following:

- Approximately 75% of the costs to expand our program to serve older and younger children is intended to be covered by the **BC Child Care Capital Grant**, which, after more than 10 years of inactivity, has been funded, for 2014/2015, with \$14.8 million for the creation of 1000 new licensed childcare spaces in BC. In order to be awarded the grant we need to address the strongest community need in terms of childcare, which is to offer a program for infants from 0 to 18 months. (In addition to the fact that if we resubmit to the final grant application wave next month with a revised plan for only 24 children in total, the probability of being awarded the money is quasi null.)
- As explained in section 2 of our "Letter to Mayor and Council" (rezoning application), we strive to maintain reasonably low parent fees. To offer new, much-needed childcare spaces in the city while also simply maintaining our current offering, we financially need to expand our programs. We otherwise would not be able to ensure the survival of our Centre, a non-profit organization with limited resources. To expand with the inclusion of the infant program while maintaining acceptable parent fees (as per community need and grant criteria), we financially need to include the 3-5 program which has lower costs / staff requirements. (This is the reality of all centers offering spaces for children 0 to 3 years old, with the exception of one, Victoria Children's Centre (0 to 20 months only), which has no overhead / rent costs because it is located in a government building.)
- Our regular activities being from Monday to Friday, the argument that night and weekend traffic will be affected by reducing the number of children from 32 to 24 is not relevant.

In brief, to expand we need the BC Grant, to get the grant and meet the community need we need to offer an infant program, and to survive financially we need to expand and offer a 3-5 program. These are all conditions that would be supported with a zoning bylaw for our site that permits a daycare for 32 children. (Please note that VIHA licenses by group of 8 children.)

**In regard to the second request**, "*The hours of operation for the daycare should be limited to 8:30 - 5:30 Monday through Friday*", we would like the City to consider the following:

- None of the many daycares we contacted in the Region have hours of operation limited by their zoning bylaw.
- The proposed opening time of 08:30 is simply not feasible for working families and would result in our daycare not having enough children attending for us to remain open.
- Any limits on operating hours would increase traffic congestion due to the shorter drop off time-window.



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**Response to Neighbor's Letter (Rezoning # 00458)**

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- Limits affecting weekdays, evenings and weekends would:
  - make it difficult for our community volunteers to continue supporting and participating in our Society since our board and various committees meetings (e.g. expansion committee) occur outside daycare hours so as not to affect the children and the quality of care we offer as well as to ensure members' availability
  - reduce significantly our fundraising and community events, which take place on the weekend and are an integral part of our community value and presence
- We are already one of the daycares with the latest opening time in the city.

In brief, limiting our hours and/or days of operation would simply end our activities and force us to sell our property and move outside of City limits.

**In regard to the third and last request**, *"That the City re-investigate traffic calming measures for Montreal Street, Dobinson Street and the lane adjacent to MacDonald park."*, we support the proposal to have the City look at traffic calming measures in the neighborhood, understanding that this does not affect our application and is something that could result in slower and/or less traffic and increased pedestrian safety.

**Finally**, we would like to correct some facts mentioned in the letter submitted by Mr. Read:

1. The land-use density we proposed does not exceed comparable daycare centres in the City; on the contrary, the majority of daycare centres in the City have significantly less space per children (both inside and outside) than our proposal, since most of them have been in operation for many years and opened when the VIHA requirements were considerably less and are now grandfathered in by licensing. This is yet another reason why so few daycare centres in the City can expand. (See section 6 of our "Letter to Mayor and Council" (rezoning application).)
2. Our property has a site-specific zone (Montreal day care district), and, as advised by the City during the rezoning application preparation, the zoning bylaw resulting from our application will be a new one decided upon and worded by the City. Our proposal thus is not constrained by the current zoning requirements for density, setbacks and height. In addition, we would like to reiterate that the project has been designed to mitigate negative impacts with careful attention paid to maintaining privacy between the two properties as much as possible. (See section 8 of our "Letter to Mayor and Council" (rezoning application).)

We trust that our responses above and the dire consequences for our operations should the City acquiesce to the first two requests will be taken seriously. Having received unified support from the JBNA, very strong community support from the neighborhood (see Appendix A of our "Letter to Mayor and Council" (rezoning application)) as well as positive comments from the BC grant authority, we believe our project is viable and will have a positive effect on our local community.

Many thanks for your consideration and continued support.

**Rosalie Chartrand-Rodrigue**  
JBCCS Expansion Chair & Board Member  
[REDACTED]

**Wendy Lowe**  
Director, Infant Plus Daycare Centre, JBCCS  
[REDACTED]

**REPORTS OF THE COMMITTEE****2. Planning and Land Use Committee – October 16, 2014****2. Rezoning Application No. 00458 for 149 Montreal Street:**

It was moved by Councillor Helps, seconded by Councillor Alto that Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00458 for 149 Montreal Street, subject to:

1. The submission of revised plans that demonstrate that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. A Section 219 Covenant to secure the proposed building design being registered on title, to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

Carried Unanimously



## 5.2 Rezoning Application No. 00458 for 149 Montreal Street

Committee received a report dated October 2, 2014 which provided information, analysis and recommendations regarding a Rezoning Application for the property located at 149 Montreal Street. The existing property is currently used as a daycare accommodating up to 15 children. The application proposes to replace the existing building with a new two-storey daycare facility that will accommodate up to 32 children.

### **Action:**

It was moved by Councillor Coleman, seconded by Councillor Helps, that Committee recommends that Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00458 for 149 Montreal Street, subject to:

1. The submission of revised plans that demonstrate that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. A Section 219 Covenant to secure the proposed building design being registered on title, to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

Committee discussed:

- Shadowing of neighbouring areas as the building is tall. The steep roof peak was designed to reduce any shadowing.
- Parking requirements need to be clearer to enable public input.
- James Bay is becoming a family neighbourhood and this proposal is responding to the need for childcare.
- The suitability for the site since it is near parks and a school.
- The expanded use is supported in the OCP and local area.
- Proposal requires no variances.

CARRIED UNANIMOUSLY 14/PLUC0259



## Planning and Land Use Committee Report

For the meeting of October 16, 2014

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**To:** Planning and Land Use Committee      **Date:** October 2, 2014  
**From:** Jim Handy, Senior Planner – Development Agreements  
**Subject:** **Rezoning Application #00458 for 149 Montreal Street**  
Proposed daycare accommodating up to 32 children

---

### Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application for the property located at 149 Montreal Street. The existing property is currently used as a daycare accommodating up to 15 children. The application proposes to replace the existing building with a new two-storey daycare facility that will accommodate up to 32 children.

The following points were considered while reviewing this proposal:

- The proposal is consistent with the *Official Community Plan (OCP)* and *James Bay Neighbourhood Plan*.
- The proposal is exempt from requiring a Development Permit, however, the applicant has submitted detailed plans demonstrating that the new building design respects the traditional residential context of the neighbourhood. The applicant has also expressed a willingness to register a Section 219 Covenant on title to secure the proposed building design.
- The application does not propose any off-street parking, however, in this instance staff recommend that Council support the proposed parking variance, because of the supporting rationale provided by the applicant and the proposed trip reduction measures.

Staff recommend that Council advance the Rezoning Application to a Public Hearing, subject to the building design being secured by way of a Section 219 Covenant and the submission of revised plans demonstrating that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*.

### Recommendation

That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00458 for 149 Montreal Street, subject to:

1. The submission of revised plans that demonstrate that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. A Section 219 Covenant to secure the proposed building design being registered on title, to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

Respectfully submitted,

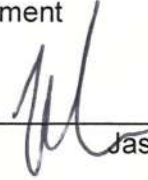
pp C.L. Wain

Jim Handy  
Senior Planner – Development Agreements  
Development Services Division

A. Day

Deb Day, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

  
\_\_\_\_\_  
Jason Johnson

Date: October 9, 2014

JH:aw

S:\TEMPEST\_ATTACHMENTS\PROSPERO\PL\REZ\REZ00458\PLUSC PLANNING REPORT TEMPLATE REZ2.DOC

## 1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application for 149 Montreal Street.

## 2.0 Background

### 2.1 Description of Proposal

The application proposes to replace the existing building with a new two-storey daycare facility that will accommodate up to 32 children. The second storey of the building would consist of a pitched roof with shed dormers. Proposed finishing materials include cement board cladding and fibreglass shingles. External areas would be landscaped and primarily used as children's play areas.

#### 2.1.1 Sustainability Features

The applicant has identified a number of green building features in their letter to Mayor and Council (attached) including:

- permeable paving and ground cover
- end-of-trip facilities for staff cycling to work
- low-flow plumbing fixtures and "Power-Smart" appliances specified for water and energy conservation
- windows oriented to optimize natural light.

### 2.2 Existing Site Development and Development Potential

The subject property is located in the R1-8 Zone, Montreal Day Care District, which allows for a single family dwelling or a daycare facility that accommodates up to 15 children.

### 2.3 Data Table

The following data table compares the proposal with the existing R1-8 Zone, Montreal Day Care District. An asterisk is used to identify where the proposal is less stringent than the proposed zone.

Zoning Criteria (Main Building)	Proposal	Zone Standard
Site area (m <sup>2</sup> ) – minimum	503	230
Total floor area (m <sup>2</sup> ) – maximum	300	300
Lot width (m) – minimum	16.51	7.5
Height (m) – maximum	8*	7.6
Site coverage (%) – maximum	38.2	40
Storeys – maximum	2	2



Setbacks (m) – minimum		
Front (Montreal Street)	6.95*	7.5
Rear (east)	9.41	7.62
Side (south)	1.67	1.65
Side (Dobinson Street)	1.34*	3.5
Parking – minimum	Nil*	2 (8 required for new proposal under Schedule C)
Bicycle storage – minimum	6	6
Bicycle rack – minimum	4	3
<b>Zoning Criteria (Accessory Buildings – Playhouse &amp; Garden Shed)</b>	<b>Proposal</b>	<b>Zone Standard</b>
Location	Rear yard	Rear yard
Total floor area (m <sup>2</sup> ) – maximum	7.6 (Garden Shed) 3.61 (Playhouse)	37
Setbacks (m) – minimum		
Rear (east)	0.4*	0.6
Side (Dobinson Street)	0.3*	0.6
Separation space between principal building and accessory buildings (m) – minimum	2.7	2.4
Rear yard site coverage (%) – maximum	7.22	25

## 2.4 Land Use Context

The application site is located on the corner of Montreal Street and Dobinson Street with single-family dwellings situated immediately to the south and west. MacDonald Park is situated to the rear (east) of the property and community gardens are located to the north of the site on the opposite side of Dobinson Street.

## 2.5 Legal Description

Lot 1, Section 25, Beckley Farm, Victoria City, Plan 5275.

## 2.6 Consistency with Design Guidelines

The application site is located within Development Permit Area 16: General Form and Character (DPA 16) as defined in the *Official Community Plan* (OCP). As the proposal does not include a commercial, industrial or multi-residential component, it is exempt from Development Permit requirements. However, in this instance the applicant has gone to considerable lengths to design the proposed daycare to respect the traditional residential context and has expressed a

willingness to enter into a Section 219 Covenant to secure the proposed building design.

In light of the above, the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* and the *Advisory Design Guidelines for Buildings, Signs and Awnings*, which are normally considered and applied to Development Permit Applications in DPA 16, are not applicable in this instance. However, as the applicant has confirmed that they are willing to enter into an agreement to secure the proposed design, staff have evaluated the merits of that design and consider that it is consistent with the aforementioned Design Guidelines as follows:

- the proposed building design is considered to represent a sensitive response to the traditional residential context
- a range of architectural materials and features are proposed to articulate the building facades fronting Montreal Street and Dobinson Street
- a prominent entrance feature is proposed in the form of a significant front entrance porch
- permeable paving surfaces are proposed in pedestrian areas
- areas of landscaped open space are proposed for use as outdoor play areas
- bicycle parking is provided in a prominent location adjacent to Dobinson Street.

## **2.7 Consistency with other City Policy**

### **2.7.1 Official Community Plan**

The *Official Community Plan* (OCP) includes policies that encourage the development of quality, accessible, affordable daycare options, including preschools. New childcare facilities are promoted throughout the City to support families and employers.

### **2.7.2 James Bay Neighbourhood Plan**

The *James Bay Neighbourhood Plan* states that amenities provided in the neighbourhood should include childcare for employees which would be accessible for residents of the community. The Plan also states that new development should respect streetscape character. The proposal directly responds to these policies by providing a daycare facility in a form that is sensitive to the traditional residential context.

## **2.8 Community Consultation**

In accordance with the *Community Association Land Use Committee's (CALUC) Procedures for Processing Rezoning Applications*, the applicant consulted with the James Bay CALUC on August 13, 2014. A letter from the CALUC is attached.



### 3.0 Issues

The key issues related to this application are:

- building design
- parking
- accessory buildings.

### 4.0 Analysis

#### 4.1 Building Design

As outlined in Section 2.6 of this report, the proposal is exempt from Development Permit Area requirements, however, in this instance the applicant has designed the proposed daycare to respect the traditional residential context and has submitted detailed plans as part of the Rezoning Application. The applicant has also expressed a willingness to enter into a Section 219 Covenant to secure the proposed building design.

Notwithstanding the fact that the proposal is exempt from Development Permit requirements, staff have evaluated the merits of the design and consider that it is consistent with the City's Design Guidelines normally applicable in Development Area 16.

Staff recommend that Council consider approving the application, subject to the building design being secured by a Section 219 Covenant.

#### 4.2 Parking

The existing R1-8 Zone, Montreal Day Care District, allows for a daycare facility accommodating up to 15 children and requires that at least two parking stalls be provided on the lot. This is less stringent than Schedule C of the *Zoning Regulation Bylaw* which requires that one parking stall be provided for each full-time employee plus an additional two stalls. Based on the Schedule C calculation, the proposal should provide for eight parking stalls, however, the application does not propose any off-street parking.

The applicant has provided a detailed rationale for providing no parking which is included in their letter to Mayor and Council (attached) and can be summarized as follows:

- 63% of the daycare staff walk, bike or use the bus to get to the premises
- 48% of families walk, bike or use the bus to get to the premises
- drop-off and pick-up times are gradual and staggered between 8:00 am to 10:30 am in the morning and 3:00 pm to 5:00 pm in the afternoon
- extended daycare hours will facilitate gradual drop-off/pick-up times
- there are many locations for families to park for drop-off/pick-up, including Montreal Street, Dobinson Street, Simcoe Street and the rear lane adjacent to MacDonald Park; these parking areas are not full at pick-up/drop-off times.
- secure on-site bike and stroller parking will be provided
- end-of-trip facilities (shower and lockers) will be provided for staff
- the possibility of a 10-minute drop-off zone in front of the application site on Montreal Street will be discussed with the City's Engineering and Public Works Department at the Building Permit stage
- a parent handbook will remind families of parking options.



Given the transportation data provided by the applicant along with the suggested transportation demand management measures, staff recommend that Council support parking variance.

#### **4.3 Accessory Buildings**

The application indicates that a playhouse and garden shed will be constructed within the rear yard of the property, however, the proposed location of these accessory buildings is not compliant with the setback requirements outlined in Schedule F (Accessory Building Regulations) of the *Zoning Regulation Bylaw*. The applicant has been informed by staff that, as currently proposed, the accessory buildings would require a Development Variance Permit. In response, the applicant has indicated that they would prefer to submit revised plans demonstrating that the accessory buildings meet all the regulations of the *Zoning Regulation Bylaw* rather than submitting a Development Variance Permit Application to seek variances for very minor setbacks.

#### **5.0 Resource Impacts**

There are no resource impacts associated with this application.

#### **6.0 Conclusions**

The proposed daycare use is consistent with City policy and the proposed design represents an appropriate response to the traditional residential context. Staff recommend that Council consider approving the application, subject to the design being secured by way of a Section 219 Covenant registered on the property title and revised plans demonstrating that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*.

#### **7.0 Recommendations**

##### **7.1 Staff Recommendation**

That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00458 for 149 Montreal Street, subject to:

3. The submission of revised plans that demonstrate that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. A Section 219 Covenant to secure the proposed building design being registered on title, to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

##### **7.2 Alternate Recommendation (Decline)**

That Council decline Rezoning Application #00458 for 149 Montreal Street.

## 8.0 List of Attachments

- Zoning Map
- Aerial Photo
- Letter from applicant dated August 5, 2014
- Plans dated August 5, 2014
- Letter from James Bay Neighbourhood Association dated August 19, 2014.



149 Montreal Street  
Rezoning #00458  
Bylaw #







149 Montreal Street  
Rezoning #00458  
Bylaw #





## Letter to Mayor and Council (Rezoning application)

### CONTENT

1.	Society & Project Overview .....	2
2.	Operational Requirements & Limitations .....	2
	Licensing & Regulations .....	2
	Building & Yard Licensing Requirements .....	2
	Affordability .....	3
	Timelines .....	3
	Business Continuity .....	3
3.	Description of Proposal.....	3
4.	Government Policies.....	5
5.	Project Benefits & Amenities .....	5
6.	Need & Demand .....	5
	Community Need .....	5
	Rationale For Rezoning & For A Purpose-Built Building .....	5
	Neighborhood Support.....	6
7.	Neighbourhood .....	6
8.	Impacts .....	6
9.	Design & Development Permit Guidelines .....	7
10.	Safety & Security .....	7
11.	Transportation.....	7
	Historical & Current Transportation Data.....	7
	Parking Mitigation Proposal .....	9
	Frontage Upgrade Request from Transportation Planner - Engineering and Public Works .....	9
	Frontage Upgrade Mitigation Proposal .....	9
12.	Heritage .....	9
13.	Green Building Features.....	10
14.	Infrastructure.....	10
	Appendix A: Neighbours Signed Letter Of Support .....	11
	Appendix B: Example of Sign-In / Sign-Out Sheets.....	14
	Appendix C: Shadow Study .....	20

## Letter to Mayor and Council (Rezoning application)

### 1. SOCIETY & PROJECT OVERVIEW

The James Bay Child Care Society (JBCCS) is a non-profit organization in existence for about 40 years, and has operated the fully licensed Infant Plus Child Care Centre ([jbccs.org](http://jbccs.org)) at its current location of 149 Montreal Street in James Bay, Victoria for more than 15 years. Currently, the JBCCS's Infant Plus toddler program supports the needs of parents for children between the ages of 18 months and three years. We have an excellent community reputation for offering a high-quality child care program in a safe and nurturing home-like facility, aligned with the social realities of our families and local community.

Our current project is to expand our program to serve older and younger children by adding a 16-child program for 3 to 5 years old and an 8-child infant program (0 to 18 months). This will result in 3 programs which each offer full-time, affordable, high-quality child care, and provide continuum of care, from birth to school age.

Approximately 75% of the costs to demolish our current space-limited house and to construct a new purpose-built building at our current location is intended to be covered by the **BC Child Care Capital Grant**, which, after more than 10 years of inactivity, has been funded, for 2014, with \$14.8 million for the creation of 1000 new licensed childcare spaces in BC. This explains the strict timelines requirements described below.

### 2. OPERATIONAL REQUIREMENTS & LIMITATIONS

#### Licensing & Regulations

As a non-profit organization, the JBCCS is bound by the Society Act of BC.

As a fully licensed childcare provider, we operate in compliance with the Ministry of Health's Child Care Licensing Regulations (Community Care and Assisted Living Act) and are subject to monitoring by our assigned licensing officer.

These regulations not only dictate operational management but also mandate building and yard design elements.

#### Building & Yard Licensing Requirements

- Each program must be separated (i.e. no sharing of floor or yard space between programs)
- Access to one program must not be through another program (i.e. separate entry into each program area)
- 39.8 sq. ft. (3.7 m<sup>2</sup>) per child of interior play/sleep area  
*NOTE: This excludes bathrooms, hallways, kitchens, cubbies/storage, stationary furniture, etc.*
- 75.3 sq. ft. (7 m<sup>2</sup>) per child of fenced exterior play area  
*NOTE: Each program outdoor space must be separated from each other when in use and fenced*

Program MINIMUM Requirements	Infant (0 to 18 mths)	Toddler (18 mths to 3 yrs)	3-5 (3 to 5 yrs)
Number of children	8	8	16
Interior play area (sq. ft.)	319	319	637
Outdoor (sq. ft.)	603	603	1205
Number of toilets	1	1	2
Change tables	Yes	Yes	Yes
Staff	2	2	2



## **Letter to Mayor and Council (Rezoning application)**

### **Affordability**

With the cost of living continuously increasing and parents needing to turn more and more towards supplemental or two-family incomes models, we insist that maintaining the lowest possible parent fees is critical. We have reviewed the current statistics for group childcare facility fees in the region and strive to either maintain or lower our current parent fees.

In addition, our centre is open to all children (including those on subsidy, children requiring extra support, etc.) and, with this expansion, we will be in a position to offer reduced fees to either all families and/or reduced fees/free spaces to families in need.

### **Timelines**

We appreciate the City of Victoria and the JBNA willingness to expedite our rezoning application since, to meet the BC ChildCare Capital Grant, we are bound to very aggressive timelines.

We have a very dedicated group of volunteer community members working hard to realize our expansion project while taking advantage of this unique Provincial support opportunity; working with architects, potential builders and contractors, licensing officers, neighbours, etc., so we are ready to move ahead on this project within the timeline set forth by the Capital grant which are to start the project within 4 months of grant receipt (expected end August 2014).

### **Business Continuity**

In order not only to offer new much needed childcare spaces in the city but also to simply maintain our current offering, we financially need to expand our programs to ensure the survival of our centre. This is the reality of all centres offering spaces for children 0 to 3 years old with the exception of one, Victoria Children's Centre (0 to 20 months only), which has no overhead / rent costs, being located in a government building.

## **3. DESCRIPTION OF PROPOSAL**

Our property currently has R1-8 zoning (Montreal Day Care District), a bylaw specific to our parcel, which is a simple residential R1-B zone with the additional permitted use of "a day care that accommodates not more than 15 children."

### **PART 1.61 - R1-8 ZONE, MONTREAL DAY CARE DISTRICT**

Uses	1	The only uses permitted in this Zone are
	(a)	all of the uses permitted in the R1-B Zone, Single Family Dwelling District;
	(b)	a day care that accommodates not more than 15 children.
Parking	2	There must be at least 2 parking spaces on each lot.
General	3	Except as provided in this Part, the regulations applicable in the R1-B Zone, Single Family Dwelling District apply in this Zone.

We are not requesting any changes to the land use, type of tenure or number of dwelling units.

### Letter to Mayor and Council (Rezoning application)

The only 2 changes we are requesting, in addition to any points the City may need to modify, are:

- The removal of "...that accommodates not more than 15 children."
- The removal of the parking requirement so we can meet licensing yard size requirements (see transportation, section 11 below)

Based on:

- our needs
- the fact that VIHA licensing regulates the number of children allowed in a daycare facility
- a review of other similar daycares zoning

Group Childcare	Address	# Parking Spaces	Comment	Zoning (VicMap)
Castlevue Child Care Centre	1075 Joan Crs	0	3 minutes drop-off zone	R-1A
Christ Church Cathedral Childcare	520 Niagara	≈ 5	Old church building	R-2
Little Hands Child Care	1303 Fairfield Rd	0		R-1B
Springridge	1222 Gladstone Ave	0		R-2
Rainbow Express	433 Kingston	0		R-2
ABC Infant & Toddler	2700 Scott St	0	(zero required by zoning)	R1-SDC
Fernwood NRG	1240 Gladstone Ave	0		R-2
Carousel Child Care Centre	301 Richmond Ave	0	(zero required by zoning)	R1-DC

We would prefer if the wording of our new zoning did not contain any number of children, like, for example, the R1-DC zoning bylaw:

#### **PART 1.8 – R1-DC ZONE SINGLE FAMILY DWELLING (DAY CARE)/PARKING BONUS) DISTRICT**

##### Permitted Uses

1. The following uses are permitted
  - (a) all uses permitted in the R1-B Zone, Single Family Dwelling District, subject to all the regulations applicable to that zone;
  - (b) day care facilities in any building.

##### Special Parking Exemption

2. No off-street parking facilities are required in this zone for a day care use.

We understand that the City can perform the three mandatory readings as well as the adoption of a zoning bylaw change in one single meeting (as it has done in the past), and we would greatly appreciate your support in facilitating this for our application.



## Letter to Mayor and Council (Rezoning application)

### 4. GOVERNMENT POLICIES

Our project conforms to the current City of Victoria OCP (page 109):

- Section 15.8 Encourage the development of quality, accessible, affordable daycare, including preschool, out-of-school care and elder daycare spaces, to support families and employers by:
  - o 15.8.1 Considering the provision of non-profit daycare space as an amenity in new residential, mixed-use and commercial developments to be secured through agreement; and,
  - o 15.8.2 Encouraging new childcare and elder daycare spaces throughout the city.

No change to the Official Community Plan is requested.

### 5. PROJECT BENEFITS & AMENITIES

Please refer to need and demand, section 6 below.

### 6. NEED & DEMAND

#### Community Need

Victoria has a tremendous need for new childcare spaces. The most recent data from the CRD indicates the enormous gap between available childcare and parental demand for it. We see this as not merely an abstract public policy issue but as a stressful reality for families, including those whose children graduate from our existing toddler program without a clear path onward to other 3-5 programs. The continual long waitlists at our program and other local group daycares, as demonstrated in the table below, clearly reflect an unmet need in our community.

Child Care Centre	# spaces for 0-3 years old	# unique family on waitlist
VCC	12	45
Springridge	8	54
Cridge	24	65
Infant Plus	8	48
ABC Infant	8	50
ABC Toddler	12	40
Freedom	12	200

Our rationale for seeking to offer childcare for children in these expanded age ranges is well founded in terms of our social values and the community's practical needs. The best recent research into out-of-home child care indicates the importance of providing continuity of care - that is, creating a consistent developmental environment and progressive program for children from birth to school age.

#### Rationale For Rezoning & For A Purpose-Built Building

We have looked at many different options: "Selling and Buying a new house", "Selling and Renting a house", "Rebuilding on current owned land", etc., and have come to the conclusion that, with the support from the provincial Capital Grant funds, the best option is to demolish our current building and to construct a purpose-built new house.



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**Letter to Mayor and Council** (Rezoning application)

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The main points leading to this conclusion are:

- Square footage required by licensing has increased over the years and the need to have each program separated makes finding a suitable space very difficult. For example a single floor of 1200 sq. ft. may result, once the kitchen, bathrooms, storage, hallways and entrance areas are excluded, in less than the 637 sq. ft. required for our planned 3-5 program.
- Yard footage required by licensing has increased over the years and the need to have each program's yard separated makes finding a house with a suitable yard with 3 fence-able areas very difficult.
- Relatively few houses are for sale or rent in our community, and even fewer are suitable in size/yard.
- High sale / rental prices of houses in the target neighborhoods of James Bay or South Fairfield.
- Financing our expansion as a non-profit organization with the current limited program.
- Landlords' reluctance to rent for childcare purposes.
- Zoning requirements for more than 8 children would mean a rezoning application wherever we rent, buy or rebuilt.

Thus, in order to continue serving our local community, this option of rebuilding / rezoning our current site appeared to be the only one, rather than having to move our daycare outside of the City of Victoria boundaries.

**Neighborhood Support**

In preparation for the JBNA meeting, we have individually approached our neighbours and explained our expansion plans. The vast majority of our neighbours have confirmed their support to our expansion plans as demonstrated in the letter of support found in Appendix A: Neighbours Signed Letter Of Support.

**7. NEIGHBOURHOOD**

The daycare site is located in a stable neighbourhood mainly comprised of residential properties mixed with public and commercial amenities (MacDonald Park, Todd Park, the James Bay Allotment Garden and the James Bay Athletic Association). Most of the surrounding buildings are one and two storey houses. Accordingly, the proposal has been designed to the same scale and will have a domestic rather than institutional or commercial appearance. The proposed form is a single storey ground level with the second level as a floor contained within a hipped roof with shed dormers. The two entrances to the building are via a main front porch (Montreal Street) and a side porch (Dobinson). These architectural elements, in addition to the scale and materiality, strengthen the new building's relationship to traditional houses in this James Bay neighbourhood.

The project site is at the end of a block that has no similar buildings behind it and only one side neighbour. The other three sides of the lot are bounded by two local roads and a rear service lane.

**8. IMPACTS**

The two sites most impacted by the new daycare house are the Allotment Gardens and the neighbouring house at 145 Montreal Street. Shadow studies have been done to ensure that the building will not shadow either of these properties (See Appendix C: Shadow Study). It is our opinion that the addition of a building entrance on Dobinson will improve overlook of the Allotment Gardens and thereby have a positive result on both the animation of the area and security.



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**Letter to Mayor and Council** (Rezoning application)

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For the neighbouring house, the project has been designed to mitigate negative impacts as much as possible. Careful attention has been paid to maintaining privacy between the properties: the proposed side yard setback complies with the existing zone, a new six foot tall fence will be built along the property line, existing trees to the south edge of the site will be retained, and windows on the south facade have been placed and sized so that the daycare will not overlook the neighbouring outdoor spaces nor align directly with the neighbour's windows. The potentially louder groups of children have been allocated play areas as far away from the neighbouring house as the site permits; the toddler play area is at the north side of the front yard, while the 3-5 year olds play area is in the rear yard, adjacent to the neighbour's back yard garage.

It is our opinion that the proposal will be a charming and welcome addition and will enhance the neighbourhood through its architecture and site treatments.

**9. DESIGN & DEVELOPMENT PERMIT GUIDELINES**

In keeping with the James Bay Neighbourhood Plan, the proposed building is compatible in form and scale with the surrounding residential properties.

**10. SAFETY & SECURITY**

The outdoor areas surrounding the building will be well defined by fencing and paving, and will be animated by and have positive overlook from the daycare. Lighting, entrances and windows will work together to provide natural surveillance of these areas, without disturbing the residents at 145 Montreal Street. Site lines through the yards will not be obscured by plantings or fences; the taller fences at the side and rear yards will be secure yet detailed to allow views through this boundary. The building, fences, lighting and landscaping will be maintained to a high standard to preserve the dignity of the facility and ensure continued adherence to CPTED principles.

**11. TRANSPORTATION**

Our project does not meet the vehicle parking standards of Schedule C which, with 6 FTE, would require us to have 8 off-street parking spaces, which is physically impossible and would not allow us to continue with our project. In order to better understand our situation and to mitigate the lack of off-street parking on the property, you will find below our historical data and mitigation commitments. We have also met with Steve Hutchison (AScT, Transportation Planner, Engineering and Public Works Department, City of Victoria), and the information below includes the content of this meeting.

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**Historical & Current Transportation Data**

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**Last 5 Years**

- Families - use vehicles to drop off / pick up     ≈ 52% (20.5 families out of 39)
- Families - walk or bike to drop off / pick up     ≈ 48% (18.5 families out of 39)
- Staff - use vehicles                                     < 37%     (1 out of 2.7 FTE)
- Staff - walk or bike or bus                           > 63%     (1.7 out of 2.7 FTE)

**Drop Off Times**

- Gradual, on average no more than 2 people drop off at the exact same time
- Staggered between 08:00 to 10:30
- Example sign-in/sign-out sheets are attached in Appendix B as supporting documentation

## Letter to Mayor and Council (Rezoning application)

### Pick-Up Times

- Gradual, on average less than half pick-up at closing time  
(with extended hours to 17:30 in our new programs, this, according to experience, will be even less)
- Staggered between 15:00 to 17:00
- Example sign-in/sign-out sheets are attached in Appendix B as supporting documentation

### Neighbouring Parking



### City parking on Simcoe (corner of our rear lane):

- 46 spaces
- Never full during our drop-off and pick-up times
- Busiest time of this parking is during sporting events in Macdonald park, which is not effecting our drop-off and pick-up times

### City parking in rear lane:

- 4 spaces
- Never full during our drop-off and pick-up times
- Busiest time of this parking is during sporting events in Macdonald park, which is not effecting our drop-off and pick-up times

In addition, we would like to point out that no other similar daycare in the City of Victoria has off-street parking, as shown in the table below.

### Parking Requirements For Other Group Childcare Centres In Victoria

Group Childcare	Address	# Children	# Parking Spaces	Comment	Zoning (VicMap)
Castlevue Child Care Centre	1075 Joan Crs	40	0	3 minutes drop-off zone	R-1A
Christ Church Cathedral Childcare	520 Niagara	32	≈ 5	Old church building	R-2
Little Hands Child Care	1303 Fairfield Rd	22	0		R-1B
Springridge	1222 Gladstone Ave		0		R-2
Rainbow Express	433 Kingston	32	0		R-2
Victoria Children's Centre	1515 Blanshard St	12	0	(in government building)	CA-4
Freedom ChildCare Centre	749 View St	42	0	(in commercial building)	CA-4
Cridge Child Care Services	1307 Hillside Ave	189	yes	Part of "Cridge Centre for the Family" Complex	R1-26 : Cridge Centre District
ABC Infant & Toddler	2700 Scott St	unk	0	(zero required by zoning)	R1-SDC
Fernwood NRG	1240 Gladstone Ave	unk	0		R-2
Carousel Child Care Centre	301 Richmond Ave	25	0	(zero required by zoning)	R1-DC



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**Letter to Mayor and Council** (Rezoning application)

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**Parking Mitigation Proposal**

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**For Families**

- secure onsite bike parking
- secure onsite stroller parking
- 10 minutes Drop Off Zone  
(to be discussed with the Transportation Department at the Building Permit stage)
- extended hours will facilitate gradual pick-up time
- parent handbook can promote / remind families of these options

**For Staff**

- end of trip facilities: shower and lockers
- secure onsite designated bike parking
- possibility to contribute some assistance towards a bus pass if staff requires it

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**Frontage Upgrade Request from Transportation Planner - Engineering and Public Works**

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- Curb and gutter on the Dobinson Street frontage.
- Curb and gutter on the rear lane.
- A sidewalk on the Dobinson Street frontage.

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**Frontage Upgrade Mitigation Proposal**

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As we are a non-profit organization, the potential costs associated with these requests are prohibitive from creating new childcare spaces. Our project is highly funded by the Provincial Child Care Capital Grant and the amount that we may be allocated would not allow us to have these additional expenses.

We proposed the following as mitigation actions:

- Parents and staff handbook policy (which is signed by each family and staff) to:
  - Stipulate that no daycare parking is allowed on the Dobinson St. grass boulevard
  - Direct parents to use designated drop off zone or surrounding public parking if using a vehicle
  - Remind parents to use actual sidewalks along Simcoe and Montreal Street to ensure the safety of their children
- It is our observation that during our business hours, Dobinson street is barely used. In fact, we have noted that it is hardly used at all during winter months and less than 2 to 5 cars per day during the gardening seasons.

Thus, under our circumstances, we are unable to meet these requests to build curbs, gutters and a sidewalk on a barely used street lane and the rear lane and hope that the rationale given above is sufficient for the Council to continue supporting our application.

**12. HERITAGE**

N/A: Our property has no heritage status and no heritage buildings are impacted by our development.

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**Letter to Mayor and Council (Rezoning application)**

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**13. GREEN BUILDING FEATURES**

The Infant and Toddler Daycare's mission is 'to seek to cultivate positive human values of compassion, reverence for life, respect, cooperation, love of nature and social conscience', and their new facility will embody this philosophy.

In addition to being efficiently tailored to the functional space program, the new daycare house has been kept to a compact form with the smallest practical footprint, in order to economize the structure, minimize resources required for construction, and preserve as much open site space as possible. Site permeability has been maximized through the disposition of permeable paving and ground cover over the majority of the open site space.

The proposed daycare house is located in a neighbourhood with a demonstrated need for daycare services, and it is anticipated that many of the children will live in or near the neighbourhood and continue to arrive by stroller and bicycle. Alternative transportation will be encouraged by ample allocation of space for bicycles and strollers on site, as well as staff end-of-trip facilities.

Low-flow plumbing fixtures and 'Power-Smart' appliances will be specified for water and energy conservation. The building structure and envelope will meet all current energy and building codes and will be well detailed and insulated to reduce energy demands. Windows have been designed to optimize natural light to the interiors, frame views of the trees and surrounding streets and provide ventilation.

**14. INFRASTRUCTURE**

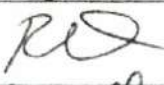
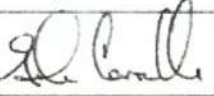
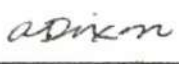
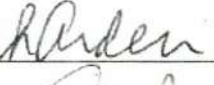
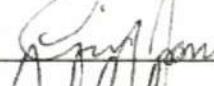
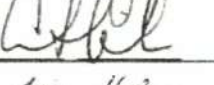
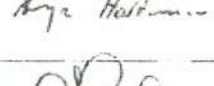

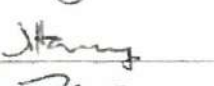
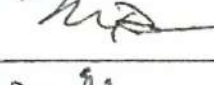
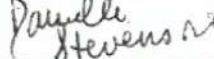
Sewer and water infrastructure would need to be upgraded to meet our new building. We are aware of this need and have budgeted accordingly.

## Letter to Mayor and Council (Rezoning application)

### APPENDIX A: NEIGHBOURS SIGNED LETTER OF SUPPORT

### Support from Neighbors of 149 Montreal Street, James Bay

My signature below affirms that I am a resident of the James Bay neighborhood and that I have been advised of the expansion plans of the James Bay Child Care Society's Infant Plus Child Care Centre. I understand the urgent need for additional childcare spaces in Victoria and support the JBCCS expansion plan to open up such spaces by replacing their existing, insufficient building with a new house for this purpose.


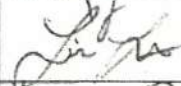
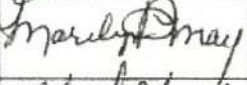
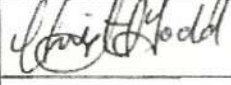
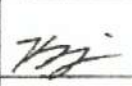
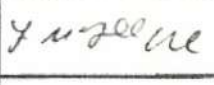
Name	Signature	Address	Phone
Rosalie Chartrand-Rodrigue		327 Simcoe St	250.383.8501
Graham Carrothers		327 Simcoe St.	250 383.8501
Alanna Dixon		21-130 Dallas Rd.	778 440 0084
HOLLY ARDEN		216 Simcoe St	250-361-9351
CYNTHIA JONES		214 Simcoe St	250-389-0355
ANDREW WHIDDEN		201 MONTREAL ST	250-818-5755
Anja Hartmann		203 B Montreal St.	250-360-2652
Gina Chumick		201B Montreal St	778-878-6290
Sarah Houry		162 Montreal	250-383-5352
MATT BRUECK		150 MONTREAL ST	778-679-8536
Danielle Stevenson		128 Montreal St.	250-891-4927



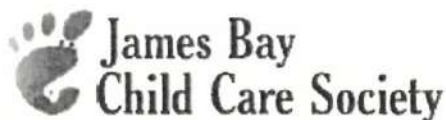
## Letter to Mayor and Council (Rezoning application)

### Support from Neighbors of 149 Montreal Street, James Bay

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Name	Signature	Address	Phone
STACY Jensen		152 Ladysmith St	250 721-4413
LISA Smith		140 Ladysmith St	778-679-1625
Marilyn May		126 Ladysmith St	250-388-5734
Chrissel Todd		131 Ladysmith St	250-995-2449
Keith Turpin		3-147 Niagara	250-5070406
MATTHIAS HERBORG		5-444 MICHIGAN ST	250-3860083


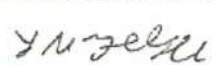
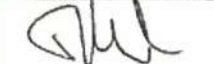

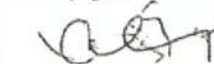
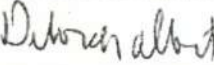

## Letter to Mayor and Council (Rezoning application)



Infant Plus Daycare Centre  
149 Montreal Street  
Victoria, BC, V8V 1Y8  
Phone: (250) 388-9144  
[infantplus@shaw.ca](mailto:infantplus@shaw.ca)

### Support from Neighbors of 149 Montreal Street, James Bay

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Name	Signature	Address	Phone
LUCIE Hannah		5-444 Michigan St. Victoria, V8V1R5	250 386 0083
MATTHIAS HERBOLD		5-444 MICHIGAN VICTORIA, V8V1R5	250 386 0083
JAMES MORTIMER		135 B KINGTON ST. VICTORIA	250 382 3501
Sarah Duckles		135B Kington St Victoria	250 382 3501
James Mortimer		135B Kington St	250 382 3501
Alene Mortimer		135B Kington St	250 382 3501
Doreen Albert		4-444 Michigan Victoria, BC V8V1R5	250-384- 3517
DYLAN HERBOLD		5-444 MICHIGAN VICTORIA	250 386 0083
MYA HERBOLD		5-444 MICHIGAN VICTORIA	250 386 0083



## Letter to Mayor and Council (Rezoning application)

### APPENDIX B: EXAMPLE OF SIGN-IN / SIGN-OUT SHEETS

Infant Plus Daycare Centre  
Sign-in Sheet

Date	Child's Name	Time Awake	Last Fed	Last Changed	Comments	Time In	Time Out	Initials	Drive
Dec 19 2013	Gabrielle Morgan	5:30	6:45	5:30		8:10	5:15		walk
	Gabrielle Morgan	7:00	7:15	7:30	sleep	8:15	7:35		drive
	ADLA	5:50	7:30	7:00	overstressed, sensitive	8:30	10:30		drive
	Tulip	7:15	8:00	7:00		9:30	4:00		bike
	Sara	6:30	8:00	—	large night	9:15	2:55		walk
Dec 19 2013	Gabrielle Morgan	7:10	7:45	7:15		8:15	16:36		walk
	OSCAR	6:35	7:00	6:45		8:20	4:54		drive
	Sara	6:20	6:45	6:10	2 changed 0:45	9:23	4:15		drive
	Sara	5:20	7:15	6:30	bike exercise	8:25	4:45		drive
	ADLA	6:05	7:00	6:40	good night!	4:00	4:20		walk
	Tulip	7:40	8:30	8:40		9:05	4:20		drive
	Tulip	7:30	8:30	8:40		10:00	4:00		drive
Dec 20 2013	Morgan	6:30	6:45	7:00		8:07	4:25		drive
	ADLA	5:50	7:00	6:30		8:20	4:20		drive
	OSCAR	6:15	6:45	6:00		8:43	4:34		drive
	Sara	6:30	7:00	6:40		9:40	16:36		walk
	Sara	6:00	7:00	6:40		9:40	4:50		walk
Dec 23 2013	Yvonne	7:00	9:00	7:50	cough	11:30	4:27		drive
	Morgan	6:50	7:10	7:50	Runs nose crust	8:47	3:15		walk
	Sara	6:50	7:10	7:50		9:15	3:15		walk
	ADLA	6:10	8:30	9:10		9:40	16:10		walk
	Tulip	6:30	8:30	8:50		11:30	4:00		walk
Jan 2 2014	Morgan	8:00	8:15	8:10		9:03	4:00		drive
	Sara	6:30	7:30	7:15	runny nose	9:10	4:20		drive
	ADLA	6:30	7:30	7:15		9:15	4:50		walk
Jan 3 2014	Sara	6:30	7:30	7:15		9:25	3:30		walk
	ADLA	6:30	7:30	7:15		9:25	4:17		drive
	Sara	6:30	7:30	7:15		9:25	4:35		walk
Jan 14 2014	Morgan	7:45	9:00	8:30		9:37	4:50		walk
	Sara	6:30	7:40	8:30		9:37	4:50		walk
	ADLA	6:45	8:00	8:45		9:55	4:20		drive
	Tulip	6:30	7:00	8:45		11:00	4:45		walk





# James Bay Child Care Society

Infant Plus Daycare Centre  
149 Montreal Street  
Victoria, BC, V8V 1Y8  
Phone: (250) 388-9144  
[infantplus@shaw.ca](mailto:infantplus@shaw.ca)

## Letter to Mayor and Council (Rezoning application)

Infant Plus Daycare Centre  
Sign-in Sheet

Date	Child's Name	Time Awake	Last Fed	Last Changed Comments	Time In	Time Out	Initials	Drop
Nov 20 2015	UCLA	6:45	7:30	7:00	8:08	4:45	HA	Drop
	Ayla	6:30	7:30	7:45	8:10	5:45	CA	walk
	Gabrielle	7:05	7:40	7:10	8:18	4:50	GR	walk
	Morgan	6:45	7:15	7:00	8:25			walk
	Sara	6:30	7:00		8:00			Drop
	Tulip	7:00	8:00	8:45	8:00	4:15	TA	walk
	Ayla	6:45	7:30		8:30	3:30	TA	Drop
	Gabrielle	7:05	7:50	7:15	8:17	4:45	HA	walk
	Morgan	5:50	7:30	7:00	8:15	4:45	GR	Drop
	Ayla	6:40	7:20	7:30	8:45	4:45	CA	Drop
	Tulip	6:45	7:15	7:30	8:45	4:45	AD	walk
	Sara	7:30	8:00	9:00	9:30	4:00	GR	Drop
	UCLA	6:30	8:30	9:00	9:30	4:30	GR	walk
	Gabrielle	6:30	7:00	7:15	8:05	4:50	GR	Drop
	Morgan	6:45	7:20	7:30	8:45	4:45	CA	walk
	Ayla	7:00	7:30	7:00	7:50	4:50	AD	Drop
	Tulip	5:50	7:20	7:00	8:15	4:50	GR	walk
	Sara	4:30	7:30		8:15	4:50	GR	Drop
	UCLA	6:30	8:00	9:00	8:45	4:45	GR	walk
	Gabrielle	7:00	7:45	7:30	8:45	4:45	GR	Drop
Nov 25	Gabrielle	7:05	7:20	7:15	8:00	4:45	GR	walk
	Ayla	6:20	7:40	7:30	8:22	4:45	GR	Drop
	UCLA	7:00			8:35	16:05	CA	walk
	Ayla	6:30	8:00	7:30	8:30	5:00	GR	Drop
	Morgan	6:45	7:10	7:30	8:40	3:25	GR	walk
	Tulip	7:00	8:30	8:15	8:40	4:15	GR	Drop
	Sara	6:15	7:30	6:00	8:10	4:45	GR	walk
	UCLA	6:00	7:00	7:30	8:05	4:05	GR	walk
	Ayla	6:50	6:50	7:30	8:22	4:04	GR	walk
	Gabrielle	7:05	7:40	7:15	8:45	4:45	GR	Drop
	Morgan	6:45	7:10	7:30	8:05	4:18	GR	walk



## Letter to Mayor and Council (Rezoning application)

Infant Plus Daycare Centre

Sign-in Sheet

Date	Child's Name	Time Awake	Last Fed	Last Changed	Comments	Time In	Time Out	Initials	
May 2014	M471	7:15	6:45	7:15		8:09	4:16	SAD	Bike
2014	Ayla	7:10	7:00	7:30		8:06	4:16	AD	walk
	Gabrielle	7:00	7:40	7:15		8:18	4:35	AD	walk
	OCAL	7:00	7:40	7:15		8:20	4:30	AD	walk
	Morgan	6:40	7:00	7:20		8:47	4:42	AD	one
	SAD	6:30	7:00	7:30		8:48	4:45	AD	one
	Tulip	7:15	8:30	9:00		9:20	4:15	AD	walk
May 2014	Gabrielle	7:00	7:40	7:15		8:45	4:30	AD	walk
2014	Ayla	6:15	7:00	7:15		8:20	4:30	AD	walk
	Morgan	7:30	7:45	8:10		8:30	4:40	AD	walk
	Morgan	6:30	7:00	7:30		8:36	4:48	AD	one
	Tulip	7:00	8:00	7:20		8:37	4:30	AD	one
	SAD	7:00	8:10	7:30		9:25	4:30	AD	walk
	SAD	7:00	8:00	7:30		9:30	4:40	AD	walk
	KICM	7:30	8:00	7:30		10:05	4:40	AD	one
June 3 2014	M471	5:15	7:00	7:30		8:11	5:07	AD	Bike
2014	Gabrielle	7:15	7:35	8:10		8:15	4:30	AD	walk
	Ayla	7:20	7:45	8:10		8:24	4:45	AD	walk
	Morgan	6:20	7:00	7:30		8:25	4:30	AD	one
	Morgan	6:30	7:00	7:30		8:34	4:57	AD	one
	SAD	6:00	7:20	7:00		9:00	4:45	AD	walk
	SAD	7:30	8:00	7:30		9:30	4:15	AD	one
July 4 2014	M471	7:00	7:15	7:30		8:00	4:45	AD	Bike
2014	Gabrielle	7:00	7:45	7:16		8:15	4:53	AD	walk
	Ayla	7:00	7:30	7:50		8:19	4:19	AD	walk
	Morgan	7:20	7:45	7:30		8:30	5:35	AD	one
	SAD	6:20	7:45	7:20		8:38	5:00	AD	one
	SAD	6:30	7:00	7:30		9:35	4:34	AD	walk
	Morgan	6:30	7:00	7:30		9:55	4:34	AD	one





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## Letter to Mayor and Council (Rezoning application)

Infant Plus Daycare Centre  
Sign-in Sheet

Date	Child's Name	Time Awake	Last Fed	Last Change	Comments	Time In	Time Out	Initials	
21 May	Morgan	6:45	7:15	7:30		8:10	4:50	22	Bike
	OSCAR	6:30	6:45	6:00		8:10	4:30	24	one
	Ayla	6:45	7:00	7:45		8:14	4:45	AD	walk
	Gabrielle	7:10	7:45	7:00		8:16	5:00	mom	walk
	Morgan	7:00	7:00	7:30		8:16	4:30	mom	one
	SONIA	5:45	7:30	6:45		8:16	4:50	mom	one
	Sara	6:00	7:00	8		8:16	4:50	mom	walk
26 May	MATIA	6:04	7:00	6:45		8:45	4:50	24	Bike
	OSCAR	6:00	6:45	6:00		8:06	4:52	24	one
	Gabrielle	7:00	7:45	N/A		8:17	5:00	mom	walk
	SONIA	6:20	7:45	7:15		8:30	4:55	mom	one
	Morgan	6:30	7:00	7:30		8:32	4:40	mom	one
	SONIA	6:00	7:00	8		8:32	4:40	mom	Bike
	Tulip	7:15	8:00	-		9:25	4:30	24	Bike
	MATIA	5:15	7:15	7:30		8:08	4:50	24	walk
20 May	Ayla	6:30	8:00	7:30		8:10	4:41	24	walk
	Gabrielle	6:55	7:30	-		8:21	4:50	24	one
	Morgan	6:30	7:00	7:30		8:36	4:54	24	one
	SONIA	6:00	7:00	8		8:36	4:54	24	one
	Tulip	6:15	8:30	-		9:25	4:40	24	walk
20 May	Ayla	6:45	7:30	7:50		8:00	4:40	24	one
	OSCAR	6:15	6:45	7:00		8:00	4:40	24	Bike
	MATIA	7:00	7:30	4:00		8:28	4:52	24	one
	SONIA	5:40	7:20	6:30		8:27	4:50	24	one
	Morgan	6:30	7:00	7:30		8:53	4:53	24	walk
	SONIA	6:00	7:00	8		8:53	4:53	24	Bike
	Tulip	7:30	8:30	-		9	4	24	walk
	Gabrielle	7:30	8:30	-		9	4	24	one
20 May	OSCAR	6:00	6:45	6:00		8:45	4:53	24	Bike
20 May	MATIA	6:00	7:15	6:00		8:45	4:53	24	walk
	Gabrielle	7:15	7:50	7:30		8:45	4:53	24	walk
	Ayla	6:45	7:30	7:50		8:45	4:53	24	one
	Morgan	6:30	7:00	7:30		8:45	4:53	24	one
	SONIA	6:00	7:00	7:30		8:45	4:53	24	walk
	Tulip	6:00	7:00	7:30		8:45	4:53	24	one
	SONIA	6:00	7:00	7:30		8:45	4:53	24	walk





## Letter to Mayor and Council (Rezoning application)

### Infant Plus Daycare Centre Sign-in Sheet

Date	Child's Name	Time Awake	Last Fed	Last Change	Comments	Time In	Time Out	Initials	
Mar 24 2014	Isabel	6:10	6:45	6:10		8:08	4:52	BT	One
	Gabriella	7:00	7:40	7:10		8:11	4:40	RK	WALK
	Morgan	6:30	7:15	7:30		8:30	4:46	BT	Bike
	Aylin	6:30	7:00	7:30		8:31	4:44	BT	One
	Sara	7:30	8:00	8:30		8:45	4:40	BT	WALK
	Sara	6	7	—		9	4:42	BT	One
	Tulip	6:15	8:00	7:30		9:10	3:30	Dad	One
	Gabriella	7:30	8:00	8:15		9:10	3:45	BT	One
Mar 25 2014	Morgan	7:05	7:30	—		8:03	4:42	BT	WALK
	Aylin	8:10	7:15	6:30		8:10	4:45	Dad	Bike
	Sara	6:00	6:45	6:45		8:17	4:35	BT	One
	Aylin	7:00	7:30	7:50		8:18	4:35	BT	WALK
	Morgan	6:30	7:00	7:30		8:40	4:23	BT	One
	Sara	5:30	7	—		9:10	2:30	BT	WALK
Mar 26 2014	Tulip	7:30	8:30	9:00		9:10	3:40	BT	One
	Morgan	6:10	7:45	7:30		9:04	4:48	BT	Bike
	Gabriella	6:00	6:45	6:30		8:11	4:55	Dad	One
	Aylin	7:10	7:40	7:15		8:16	4:50	BT	WALK
	Morgan	7:00	8:00	8:15		8:30	4:45	BT	WALK
	Sara	6:30	7:00	7:30		8:37	4:30	BT	One
	Tulip	5:30	7	—		9	4:42	BT	One
Mar 27 2014	Isabel	7:30	8:30	9:00		9:30	4:15	BT	One
	Gabriella	6:00	6:45	6:30		8:08	4:41	Dad	One
	Aylin	7:00	7:45	7:10		8:19	4:42	BT	WALK
	Morgan	6:00	7:30	7:45		8:20	4:10	Dad	WALK
	Sara	7:00	7:30	8:00		8:45	4:47	BT	WALK
	Aylin	6:30	7:00	7:30		8:46	4:40	BT	One
	Morgan	5:30	7	—		9	4:30	Dad	One
	Aylin	6:30	8:00	7:45	a little cuddly this week	9:00			WALK



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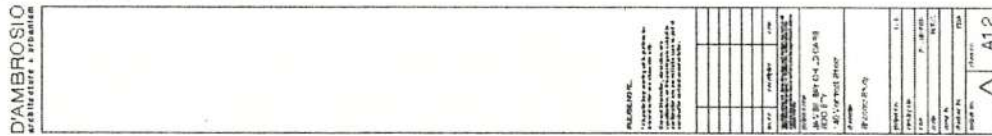
## Letter to Mayor and Council (Rezoning application)

### Infant Plus Daycare Centre Sign-in Sheet

Date	Child's Name	Time Awake	Last Fed	Last Change	Comments	Time In	Time Out	Initials	
Apr 22 2014	OSCAR	7:00	6:00	7:00		8:07	4:52	BT	one
2014	Gabrielle	7:10	7:30			8:18	5:00		walc
	Julia	7:00	7:30	8:00		8:19	4:77	CB	walc
	Morgan	6:30	7:00	7:30		8:25	4:00	me	one
	Wendy	6:30	7:30	7:40		8:28	4:30	mom	one
	SARA	6:30	7:00			8:28	4:10	Dad	one
	Tulip	7:00	8:00	8:30		9	4:10	Dad	one
Apr 23 2014	MA-FA	5:45	7:00	7:15		8:09	4:34	mom	one
2014	Gabrielle	7:05	7:45	7:10		8:15	4:58	me	one
	OSCAR	6:20	6:00	7:20		8:16	4:16	me	one
	Julia	7:45	8:25	8:15		8:48	4:56	me	one
	SARA	6	7			9	4:20	Dad	one
	Tulip	7:00	8:00	8:45		9:30	4:10	me	one
	Morgan	6:30	7:00	7:30		10:17	4:54	me	one
Apr 24 2014	MA-FA	6:00	7:00	7:30		8:12	4:53	me	one
2014	Gabrielle	7:00	7:40	7:05		8:17	4:50	me	one
	SARA	6:20	7:20	7:00		8:20	4:30	me	one
	OSCAR	6:00	7:30	7:30		8:32	4:43	me	one
	Morgan	6:30	7:00	7:30		8:39	4:57	me	one
	Julia	7:20	8:10	8:25		8:43	4:20	me	one
	SARA	6	7			9	4:45	mom	one
Apr 25 2014	Astrid	6:07	7:20	7:00		9:30	4:30	me	one
2014	MA-FA	6:00	7:00	6:45		8:10	4:55	me	one
	Gabrielle	7:00	7:45	7:15		8:16	4:27	me	one
	Morgan	6:45	7:10	7:10		8:21	4:54	me	one
	SARA	6	7			9:05	4:00	me	one
	Tulip	7:15	8:30	9:00	Ruany nose "	9:07	4:32	me	one
Apr 26 2014	MA-FA	6:15	7:00	6:15		8:05	4:52	me	one
2014	Gabrielle	6:15	7:00	6:15		8:05	4:52	me	one
	Morgan	6:00	7:00	7:30		8:10	4:50	me	one
	Julia	6:50	7:40	7:10		8:19	4:33	me	one
	Gabrielle	6:30	7:45	7:30		8:30	4:20	me	one
	Julia	6:15	8:00	7:30		9:05	4:10	me	one



## APPENDIX C: SHADOW STUDY







#### Contacts

##### Registered Owner

James Bay Child Care Society  
149 Montreal Street  
Victoria BC  
V8V 1T8

Wendy I Reed  
Tel: 250.588.9744

##### Architect

D'Ambrosio Architecture + Interiors  
2960 Jutland Road  
Victoria BC  
V8T 5K2

Erin D'Ambrosio  
Tel: 250.384.2400

#### List of Drawings

##### Architectural

A0.1 Cover Sheet  
A1.1 Site Information + Roof Plan  
A2.1 Floor Level 1 / Site + Landscape Plan  
A2.2 Floor Level 2 Plan  
A3.1 Building Elevation + Section

**James Bay Child Care Society**  
**149 Montreal Street**  
Victoria, BC

#### Rezoning Application

**D'AMBROSIO**  
ARCHITECTURE + INTERIORS

**1414**

2960 Jutland Road  
Victoria BC Canada V8T5K2  
tel 250 384 2400  
fax 250 384 7893  
email mail@daarc.ca  
web www.daarc.ca

**5 August 2014**



1. Existing Front Yard View



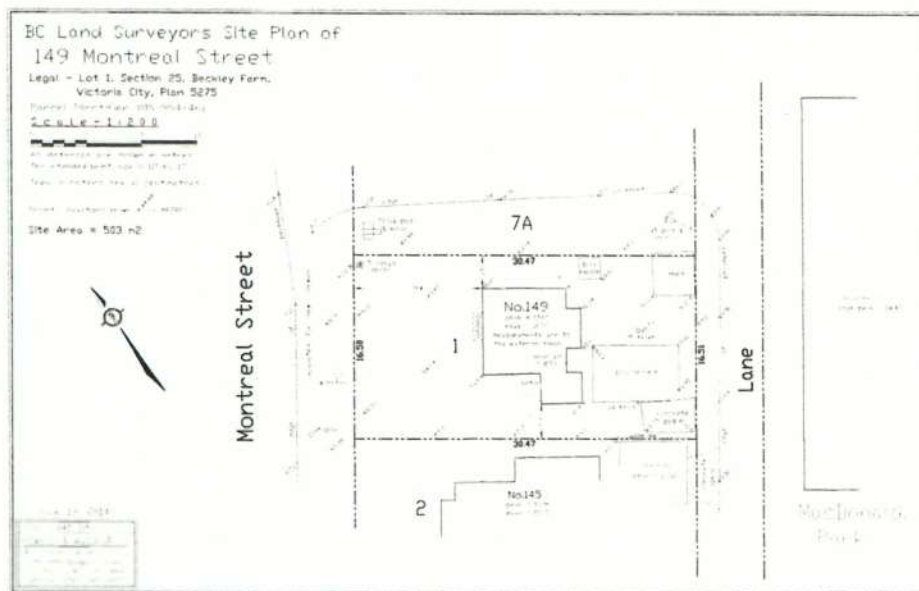
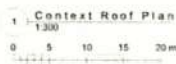
2. Existing South Side Yard View



3. Existing Rear Lane View



4. Existing Lane / Driveway Street View



March 21st / September 21st (10am)



March 21st / September 21st (12pm)



March 21st / September 21st (3pm)

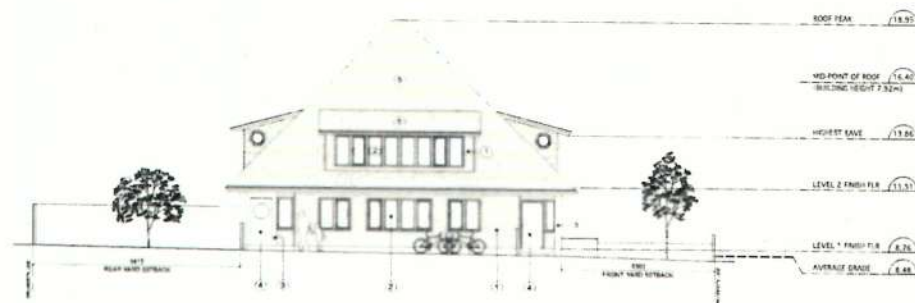
2 Shadow Studies  
NTS

1	Receiving Application	14 Aug 2014
2	Receiving Application	14 Aug 2014
3	Receiving Application	14 Aug 2014
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98	Receiving Application	14 Aug 2014
99	Receiving Application	14 Aug 2014
100	Receiving Application	14 Aug 2014





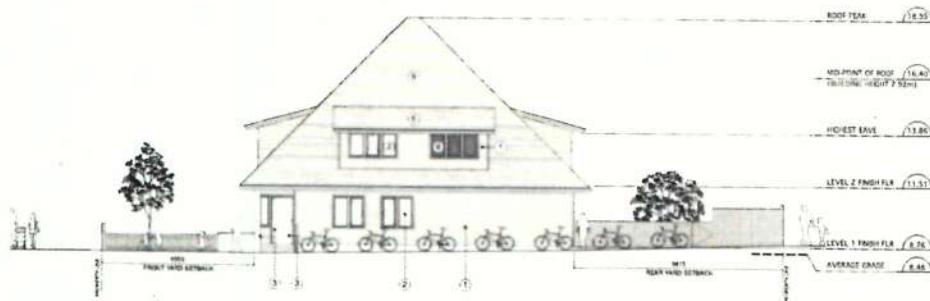




1 Side Elevation (North-Dobinson)  
Scale 1:100



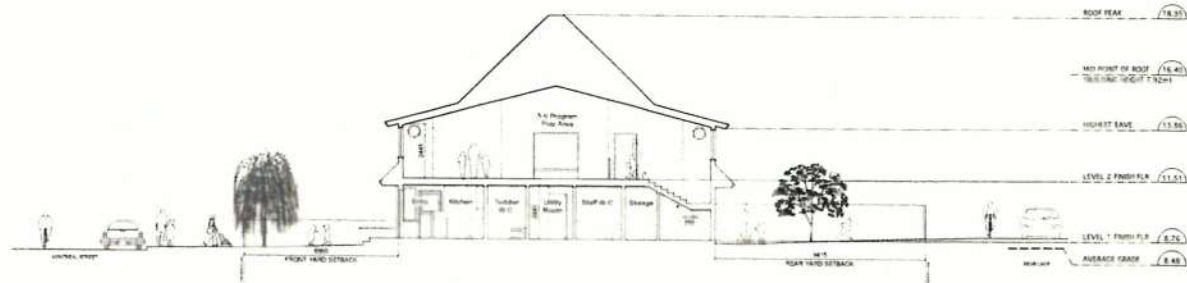
2 Front Elevation (West - Montreal)  
Scale 1:100



3 Side Elevation (South)  
Scale 1:100



4 Rear Elevation (East - Lane)  
Scale 1:100



5 Building Section  
Scale 1:100

- MATERIALS KEY**
1. CLADDING: WHITE PAINTED CEMENT  
BLOCKS (Barbican House 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100)
  2. WHITE FRAMED WINDOWS (Barbican House 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100)
  3. PAINTED TYPIC (Barbican House 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100)
  4. ENTRY DOORS: ALUMINUM (Barbican House 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100)
  5. ROOF: BLACK PERGOLAS SHINGLES (Barbican House 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100)
  6. WHITE FRAMED WINDOWS WITH  
TEXTURED GLASS (Barbican House 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100)

**PLEASE NOTE:**

General information, dimensions and specifications in this drawing are subject to confirmation and are not to be used as part of construction without documentation.

1	Rebuilding Application	15 Aug 2014
2	Rebuilding Application	15 Aug 2014
3	Rebuilding Application	15 Aug 2014
4	Rebuilding Application	15 Aug 2014
5	Rebuilding Application	15 Aug 2014
6	Rebuilding Application	15 Aug 2014
7	Rebuilding Application	15 Aug 2014
8	Rebuilding Application	15 Aug 2014
9	Rebuilding Application	15 Aug 2014
10	Rebuilding Application	15 Aug 2014

project name  
**JAMES BAY CHILD CARE SOCIETY**  
149 Montreal Street  
sheet title  
**Building Elevations + Section**

project no.	1414
drawing for	Schematic Plans
date	30 July 2014
scale	1:100
drawn by	DHS
checked by	FDA
revision no.	
sheet no.	



A3.1



**JBNA**

## James Bay Neighbourhood Assoc.

234 Menzies St  
Victoria, B.C.  
V8V 2G7

[www.jbna.org](http://www.jbna.org)



Mayor and Council  
#1 Centennial Sq.  
Victoria BC

August 19 th, 2014

Re: Day Care at 149 Montreal St – Rezoning proposal R1T8 to R1TB

At JBNA General Meeting on August 13, plans for the above Montreal Day Care were presented by Matthias Herborg, Director James Bay Childcare Society and Wendy Lowe, President James Bay Childcare Society. Plans were presented for review and proposal was generally well accepted. The following is from minutes of this meeting.

JB Childcare Society has been a day care site for 15 years and is a not for profit organization established by neighbourhood families.

Current facility provides day care for children 0 to 18 mos. and 18 mos. to 3 yrs. of age. Expansion is needed to accommodate children from ages 3 yrs. to 5yrs.

Current facility is governed by licensing with restrictions for expansion. VIHA licensing currently is for maximum capacity of 15 children and day care wants to expand to 32.

Pick-up/drop-off over 2 hr. period in am and pm: 8am to 10:30am and 3:30pm to 5:30.  
No noise at night or weekends. Bike lock-up and staff are encouraged to use bus.

### Questions (Q) and Comments (C)

C – valuable service for community – strongly supports

Q – strong need for space not only in JB but in Victoria as a whole

Q – where will locate during construction? – will rent in alternate location

Q – is there a waitlist in JB? – Can only speak to their waitlist 48 families

C – signage at MacDonald Park should be clear that parking is permitted – City should relax

Q – is the rezoning site specific – yes to allow for the number of children

In addition to the above presentation and comments from those in attendance, we did receive attached email from a resident on Montreal Street. I have removed name and address for privacy concerns.

Tom Coyle, Vice Chair JBNA



ATTACHMENT

Hi

*I can not attend the meeting re-day care expansion on Montreal Street but I did want to let you know that I am not in favour of it.*

*We have enough noise in this neighbourhood. We have the German and Polish clubs on Niagara Street and right across the street from me I have the James Bay Athletic Club. The JBAA are a huge thorn in my side with their noise of dropping barbells and weights all hours of the day and night . They wouldn't want to be woken up at 6am to a boot camp across the street from them. Not to mention they have zumba exercises with loud music, and they rent out their hall for parties as well.*

*The parking on Montreal Street is very limited since the put sidewalks in. Before the sidewalks went in the day care had cars parked all over the front area and people and kids running all over the street making it hard to pass with oncoming traffic.*

*Bottom line we do not need MORE noise in this neighbourhood we need less. It's still classed as a neighbourhood isn't it ?, or has it gone commercial.*

*Resident on Montreal Street*

NO. 17-015

## A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Zoning Regulation Bylaw for the R1-8 Zone, Montreal Day Care District, to add as a permitted use a day care that accommodates not more than 32 children and adding regulations relating to floor area, building height, setbacks, site coverage and parking.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO.1071)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in Schedule B, Part 1.61 *[R1-8 Zone, Montreal Day Care District]* as follows:
  - (a) by repealing Sections 1, 2 and 3 and replacing those Sections with the following new Sections in Schedule 1 of this Bylaw:

“Sections 1.61.1 through 1.61.6.”

READ A FIRST TIME the	<b>13<sup>th</sup></b>	day of	<b>April</b>	2017
READ A SECOND TIME the	<b>13<sup>th</sup></b>	day of	<b>April</b>	2017
Public hearing held on the	<b>27<sup>th</sup></b>	day of	<b>April</b>	2017
READ A THIRD TIME the	<b>27<sup>th</sup></b>	day of	<b>April</b>	2017
ADOPTED on the		day of		2017

CITY CLERK

MAYOR

Schedule 1  
**PART 1.61 – R1-8 ZONE, MONTREAL DAY CARE DISTRICT**

**1.61.1 Permitted Uses in this Zone**

The following uses are the only uses permitted in this Zone:

- a. All of the uses permitted in the R1-B Zone, Single Family Dwelling District.
- b. A day care that accommodates not more than 32 children

**1.61.2 General**

If the primary use of a Lot is a use permitted in the R1-B, Single Family Dwelling District,

- a. The regulations in the R1-B Zone, Single Family Dwelling District apply
- b. The regulations set out in Parts 1.61.3-1.61.6 do not apply

**1.61.3 Floor Area, Lot Area and Lot Width**

- |   |                   |
|---|-------------------|
| a. Floor <u>area</u> , for the first and second <u>storeys</u> combined (maximum) | 300m <sup>2</sup> |
| b. Floor <u>area</u> , of all floor levels combined (minimum)                     | 70m <sup>2</sup>  |
| c. <u>Lot area</u> (minimum)  | 460m <sup>2</sup> |
| d. <u>Lot</u> width (minimum average)   | 15m               |

**1.61.4 Height, Roof Decks**

- |   |               |
|---|---------------|
| a. Principal <u>building height</u> (maximum) | 8.0m          |
| b. <u>Roof deck</u>                           | Not Permitted |



Schedule 1  
**PART 1.61 – R1-8 ZONE, MONTREAL DAY CARE DISTRICT**

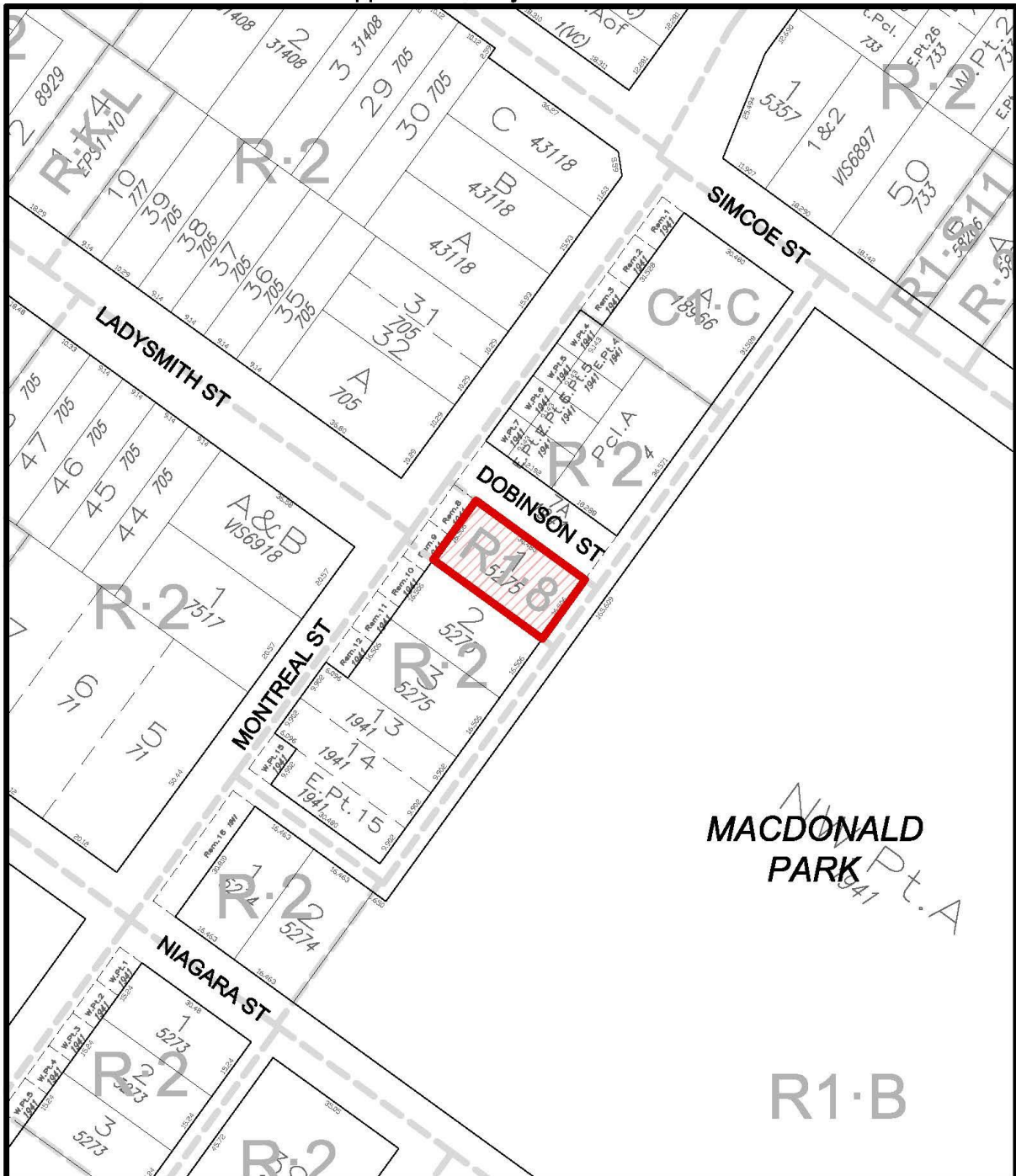
**1.61.5 Setbacks, Projections**

- |  |       |
|--|-------|
| a. <u>Front yard setback</u> (minimum)   | 6.9m  |
| Except for the following maximum projections into the setback:                     |       |
| • Steps less than 1.7m in <u>height</u>  | 2.5m  |
| • porch  | 1.6m  |
| b. <u>Rear yard setback</u> (minimum)  | 7.6m  |
| c. <u>Side yard setback</u> from interior <u>lot lines</u> (minimum)               | 1.65m |
| d. <u>Side yard setback</u> on a flanking street for a <u>corner lot</u> (minimum) | 1.3m  |
| e. Eave projections into <u>setback</u> (maximum)                                  | 0.75m |

**1.61.6 Vehicle Parking, Bicycle Parking and Site Coverage**

- |                                     |  |
|-------------------------------------|--|
| a. Vehicle parking for a day care   | No parking required                        |
| b. Bicycle parking (minimum)        | Subject to the regulations in Schedule "C" |
| c. <u>Open site space</u> (minimum) | 40%  |

Appendix 1 to Bylaw No. 17-015



149 Montreal Street  
Rezoning #00458





## Council Member Motion

For the Committee of the Whole meeting of November 15<sup>th</sup> 2018

---

**Date:** November 8, 2018      **From:** Mayor Helps and Councillor Alto  
**Subject:** Bonus Density Above OCP and Affordable Housing

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### Background

At the Committee of the Whole meeting of November 8 2018, in the midst of a discussion of an immediate but interim approach to inclusionary housing, the Mayor gave notice of motion with regard to considering densities above the Official Community Plan in order to provide incentives and to secure more and/or deeper affordability.

Reviewing past decisions of Council it has become clear that the current policy says that "Projects in the Core Business and Core Residential areas which include on-site nonmarket housing may be considered for up to 10% additional density above the maximum indicated." (See attached Bonus Density Policy).

With respect to the development of a *new* policy, at a March 8 2018 Committee of the Whole meeting it was moved that Council direct staff, as part of a strategic approach to the creation of a new Inclusionary Housing and Density Bonus Policy, to "Develop a framework for consideration of higher densities above those envisioned in the Official Community Plan in support of affordable housing goals." This motion was defeated on a four-four tie. (See attached Committee minutes).

It appears that staff, the development community and council considered the March 8 2018 motion as a commentary on the existing policy and since that time negotiations with developers about densities above the OCP in exchange for affordable housing have not happened.

Given that we are in an interim period where Council is requesting affordability in all new strata projects while we work collaboratively to develop a balanced and effective policy, it is important that this interim period also provide incentives.

### Recommendation

That as an interim measure until the final policy is adopted, Council directs staff to encourage proponents of strata projects to consider densities up to 10% in excess of OCP densities, in all areas of the city, in exchange for affordable units.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "M. Helps".

Mayor Helps

A handwritten signature in black ink, appearing to read "A. Alto".

Councillor Alto



# City of Victoria Density Bonus Policy

Approved October 27, 2016

## 1. Areas Identified for Bonus Density Opportunities

With added residents and employees come impacts on the community. The Official Community Plan (OCP) envisions contributions to support public amenities which help offset the impacts of density. Some areas of the city have been identified by the OCP as areas where future growth and change would be focused. These areas include the Urban Core and the Town Centre, Urban Village, and Urban Residential Urban Place Designations. Within these areas, the OCP indicates a base density, and a maximum density which may be considered where a proposed project supports OCP objectives including the provision of amenities or affordable housing.

## 2. Amenity Contribution Schedule

The City has identified a fixed rate target which will be sought for certain rezonings which result in bonus density. For all other rezonings resulting in bonus density, the City will seek an amenity contribution equivalent to 75% of the additional land value created by the rezoning, based on an economic analysis.

OCP Urban Place Designation	FixedRate Target Eligibility*	Amenity Contribution Target for standard rezonings**	Negotiation for on-site affordable housing expected***
Urban Residential	✓	\$5/sq. ft. (\$53.82 per sq. m.) of bonus density	
Small Urban Village	✓	No amenity contribution for standard rezonings	
Large Urban Village	✓	\$5/sq. ft. (\$53.82 per sq. m.) of bonus density	
Core Residential and Core Business requesting less than 30,000 sq. ft. of bonus density	✓	\$12/square foot (\$129.17/sq. m.) of bonus density	
Town Centre		Based on economic analysis	✓
Core Residential and Core Business requesting 30,000 sq. ft. or more of bonus density		Based on economic analysis	✓
Core Historic		Based on economic analysis	
Core Inner Harbour Legislative		Based on economic analysis	
Core Songhees Area		Based on economic analysis	

\* Proponents of a rezoning eligible for a fixed rate target may choose instead to propose amenity contributions based on an economic analysis of the individual project (see 5., below).

\*\* A standard rezoning is defined as a project which:

1. Does not require an amendment to the Urban Place Designation in the OCP;
2. Does not require rezoning from industrial, general employment or institutional zoning to residential or residential mixed use zoning;
3. Does not require significant on-site circulation or public amenities specified in a City plan;
4. Is no larger than one city block;
5. Does not contain a building which is eligible for heritage designation, listed on the heritage register, or identified by a Local Area Plan as being of heritage merit;
6. Is not subject to a Master Development Agreement (MDA).

\*\*\* Affordable housing contributions offered by applicants may be considered in any Urban Place Designation on a case-by-case basis.

### 3. Base and Maximum Densities

- 3.1. Where the OCP indicates a range of densities (Core Business, Core Residential, Town Centre, Large and Small Urban Village, Urban Residential, but exempting Core Inner Harbour Legislative):
  - 3.1.1. The lower density is considered the "base" density which is generally supportable.
  - 3.1.2. The upper density is considered the maximum density which may be considered.
  - 3.1.3. Density above the base density is considered "bonus density".
  - 3.1.4. Where a property's starting zoning allows more density than the OCP base density, the zoned density should be considered as the base density.
  - 3.1.5. If added density provisions already apply to an existing zone district (for example, for features such as underground parking), then bonus density for purposes of this policy refers only to the density increment above what can be achieved under the property's existing zoning.
  - 3.1.6. Projects in the Core Business and Core Residential areas which include on-site non-market housing may be considered for up to 10% additional density above the maximum indicated.
  - 3.1.7. Refer to the Downtown Core Area Plan (DCAP) for further detail on base and maximum densities for residential or commercial use within the DCAP boundaries.
- 3.2. Where the OCP indicates only one density, outside of the Downtown Core Area (Industrial, General Employment):
  - 3.2.1. The indicated density is considered the maximum density for appropriate uses in this Urban Place Designation.
  - 3.2.2. The base density for residential uses is assumed to be zero as these Urban Place Designations do not support residential use.
- 3.3. Where the OCP indicates only one density within the Downtown Core Area (Core Historic, Core Songhees) or DCAP special density area (Core Inner Harbour Legislative):
  - 3.3.1. The base density should be considered as the existing zoned density.
  - 3.3.2. The maximum density shown in the OCP may or may not be achievable given individual site characteristics and objectives of the OCP as refined by the Downtown Core Area Plan.
- 3.4. Where a proposal request an amendment to the OCP Urban Place Designation, the base density shall be considered as the base density for the relevant use in the existing (starting) OCP Urban Place Designation.
- 3.5. The above notwithstanding, in an area subject to a Master Development Agreement (MDA) any change to the zoned density requires a renegotiation of the amenities provided for in the MDA.
- 3.6. Proposals for rezoning will be considered on their merits based on the policies of the Official Community Plan, informed by relevant neighbourhood plans, other adopted City plans, and unique characteristics of the site. It should not be assumed that a rezoning proposal will be approved simply because amenity contributions are proposed. (See OCP 6.3)

### 4. Projects Exempted from Amenity Contribution Requests

The following projects will be exempted from requests for amenity contributions:

- 4.1. **Non-market housing projects** which are rental housing, owned by a non-profit housing provider, in which at least half of the units are non-market housing secured by a housing agreement that provides for affordability for the life of the building.

- 4.2. **A standard rezoning for purpose-built rental housing in the Urban Residential or Urban Village place designations**, which is secured as rental housing for the life of the building by a housing agreement.
- 4.3. **Projects with no residential use included.**

## **5. Option for Standard Rezonings to Use Economic Analysis rather than Fixed Rate Contribution Target**

The fixed rate target for amenity contributions is set to apply broadly to most redevelopment sites which meet the criteria of this policy. However, the applicant may choose to propose amenity contributions based on site-specific circumstances for the individual project. In these cases, the applicant may elect to conduct their own economic analysis as described in section 6., below.

## **6. Economic Analysis to Inform Amenity Contribution Requested**

For applications which do not meet the criteria for a fixed rate amenity contribution target, an economic analysis should be undertaken to determine how much amenity contribution an approvable project can support. This analysis should be completed by an independent third party consultant, agreed upon by the developer and the City of Victoria, and engaged by the City. Following best practices, the City would seek a target of 75% of the increase in land value for the provision of community amenities. The cost of this analysis will be deducted from amenity contributions sought.

## **7. Securing Amenity Contributions**

Monetary amenity contributions will be due prior to issuance of a building permit. In a phased project, the amenity contribution may be divided proportionately between different phases of the development. Amenity contributions may generally be secured in one of three ways:

- 7.1. Rezoning to a zone which specifies: a base density; one or more additional densities which may be achieved with the provision of community amenities; and the number, extent and kind of amenities;
- 7.2. A covenant that will detail the amenity contribution to be delivered, at which time the covenant will be removed; or,
- 7.3. Where the amenity includes affordable housing, a signed housing agreement.

Where the amenity is a monetary contribution, it will include an escalator equal to the annual change in construction cost for the Victoria Area as measured by a quantity surveyor selected jointly by the City and applicant.

## **8. Type of Amenities to be Funded by Contributions**

The amenities needed to support growth consistent with the OCP are generally greater than the amenity contributions available for the foreseeable future. As a built-out city, future funding through Development Cost Charges is limited. General property tax revenue must be used largely for operations and for maintenance of capital infrastructure. Therefore, the City will seek Community Amenity Contributions as part of rezonings which result in additional density, in order to offset the impacts of that density on the community.

Desired amenities will be identified in Neighbourhood Plans and periodically updated. Monetary amenity contributions will be placed into a fund to be used for these amenities. For amenity contributions from development in an urban village or along a corridor that forms the boundary between two neighbourhoods, the amenity contribution should be dedicated to projects in that village/corridor, split between the two neighbourhoods, or dedicated to amenity contributions for specific improvements which improve livability for the area in question.



## 9. Consideration for On-Site Amenities

Most redevelopment sites in Victoria are smaller sites that do not support the types of amenities envisioned by neighbourhood planning. Therefore monetary contributions are sought in most instances. Other than affordable housing, an on-site amenity may be sought only in the following circumstances:

- 9.1. The amenity is identified in a neighbourhood plan or other approved City plan;
- 9.2. The amenity would not otherwise be a requirement of development (e.g. frontage improvements are not considered an amenity);
- 9.3. The amenity is of a public nature with secured public access or control;
- 9.4. The amenity is not subject to maintenance and control as common space by a strata council;
- 9.5. Any amenities on private land should be accompanied by granting of statutory right of way or similar legal agreement to maintain their public nature;
- 9.6. Conservation of heritage is considered a public amenity;
- 9.7. Where on-site amenities are provided, the total amenity contribution should be equivalent to 75% of the increased land value resulting from a rezoning.

Examples of on-site public amenities include parks, plazas, play lots, or community space for public use and public ownership within a building.

## 10. Consideration for Affordable or Special Needs Housing

The Victoria Housing Strategy provides further detail on target market and affordable rental unit demand for the City. The City may seek on-site affordable housing which:

- 10.1. Is secured by a Housing Agreement for the life of the building or for another time period meeting the City's affordable housing objectives;
- 10.2. Meets the objectives of the Victoria Housing Strategy;
- 10.3. Where the total value of the amenity and/or affordable housing contribution is equivalent to 75% of the increased land value resulting from a rezoning.

## 11. Implementation, Monitoring and Annual Reporting

- 11.1. The target has been set based on needed public amenities and the ability of typical projects to support contributions. The target will be adjusted as follows:
  - 11.1.1. Adjusted annually by the annual change in construction cost for the Victoria Area as measured by a quantity surveyor;
  - 11.1.2. Adjusted every 3-5 years or in response to major market changes, based on an economic analysis.
- 11.2. The City will report out annually to track contributions, identify contributors and identify the type and locations of constructed amenities.

### Disclaimer on Land Speculation

The City of Victoria cautions against land speculation that attempts to pre-suppose Council's future decisions. The OCP does not create development rights, but sets out a long range vision which Council uses as a guide for development. It is only through a subsequent rezoning that land use and density for a property are determined.

**MINUTES OF THE  
COMMITTEE OF THE WHOLE MEETING  
HELD THURSDAY, MARCH 8, 2018, 9:00 A.M.**

**1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:00 A.M.**

**Committee Members Present:** Mayor Helps (Chair), Councillors Alto, Isitt, Loveday, Lucas, Madoff, Thornton-Joe, and Young

**Absent:** Councillor Coleman

**Staff Present:** J. Jenkyns – Acting City Manager; C. Coates – City Clerk; C. Havelka – Deputy City Clerk; C. Royle – Assistant Fire Chief; S. Thompson – Director of Finance; J. Tinney – Director of Sustainable Planning & Community Development; T. Soulliere – Director of Parks, Recreation, & Facilities; F. Work – Director of Engineering and Public Works; B. Eisenhauer – Head of Engagement; T. Zworski – City Solicitor; C. Mycroft – Manager of Executive Operations; A. K. Ferguson – Recording Secretary

**2. APPROVAL OF AGENDA**

**Motion:** It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the Agenda of the March 8, 2018, Committee of the Whole meeting be approved.

**Amendment:** It was moved by Councillor Isitt, seconded by Councillor Lucas, that the Agenda of the March 8, 2018, Committee of the Whole meeting be amended as follows:

**Consent Agenda:**

**Item No. 1 – Minutes from the Meeting held January 11, 2018**

**Item No. 5 – Victoria Housing Fund Application for the North Park Manor at 875 North Park (North Park)**

**Item No. 8 – Attendance at the Federation of Canadian Municipalities Annual Conference May 31 – June 3, 2018**

**Item No. 9 – Attendance at the Association of Vancouver Island Coastal Communities 2018 Annual Convention and Annual General Meeting – April 13 – 15, 2018**

**Item No. 12 – Advocacy for Youth Program Funding for Quadra Village Community Centre**

On the amendment:  
CARRIED UNANIMOUSLY 18/COTW

**Main motion as amended:**

That the Agenda of the March 8, 2018, Committee of the Whole Meeting be approved with the following amendments:

**Consent Agenda:**

Item No. 1 – Minutes from the Meeting held January 11, 2018

Item No. 5 – Victoria Housing Fund Application for the North Park Manor at 875 North Park (North Park)

Item No. 8 – Attendance at the Federation of Canadian Municipalities Annual Conference May 31 – June 3, 2018

Item No. 9 – Attendance at the Association of Vancouver Island Coastal Communities 2018 Annual Convention and Annual General Meeting – April 13 – 15, 2018

Item No. 12 – Advocacy for Youth Program Funding for Quadra Village Community Centre

On the main motion as amended:  
CARRIED UNANIMOUSLY 18/COTW

**3. CONSENT AGENDA**

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Lucas, that the following items be approved without further debate:

**3.1 Minutes from the meeting held January 11, 2018**

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Lucas, that the Minutes of the meeting held January 11, 2018, be adopted.

CARRIED UNANIMOUSLY 18/COTW

**3.2 Victoria Housing Fund Application for the North Park Manor at 875 North Park Street**

Committee received a report dated February 23, 2018, from the Director of Sustainable Planning and Community Development regarding recommendations for approval of a Victoria Housing Fund grant application from the North Park Manor Society to assist in the construction of three housing units for low and medium income seniors within the North Park Manor, located at 875 North Park Street.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Lucas, that Council approve a Victoria Housing Fund grant to the North Park Manor Society in the amount of \$30,000 to assist in the construction of three bachelor units of housing for low and medium income seniors at the North Park Manor, located at 875 North Park Street, subject to the following conditions:



1. The grant will be disbursed to the applicant once the Housing Fund Grant Agreement and Housing Agreement have been executed by the applicant.
2. The North Park Manor Society enters into a Housing Fund Grant Agreement to the satisfaction of the City Solicitor that includes the requirements that:
  - a) the North Park Manor Society will identify the City of Victoria as a contributor on publications, documents, and public events related to the development, completion and operation of the project;
  - b) upon project completion, North Park Manor Society will submit a final report to the Sustainable Planning and Community Development Department; and
  - c) the grant is to be repaid by the North Park Manor Society if the project does not proceed as proposed.
3. The North Park Manor Society enters into a Housing Agreement securing the housing units at rental levels consistent with the Victoria Housing Fund Guidelines in a form satisfactory to the City Solicitor and Director of Sustainable Planning and Community Development.

CARRIED UNANIMOUSLY 18/COTW

### **3.3 Attendance at the Federation of Canadian Municipalities Annual Conference, May 31 - June 3, 2018**

Committee received a report dated February 28, 2018, from Councillor Alto seeking approval to attend the annual FCM conference to be held in Halifax, Nova Scotia, May 31 through June 3, 2018.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Lucas, that Council authorize the attendance and associated costs for Councillor Alto to attend the FCM Conference to be held in Halifax, NS, May 31 - June 3, 2018.

CARRIED UNANIMOUSLY 18/COTW

### **3.4 Attendance at the Association of Vancouver Island Coastal Communities 2018 Annual Convention and Annual General Meeting – April 13-15, 2018**

Committee received a report dated March 1, 2018, from Mayor Helps seeking approval to attend the AVICC conference to be held in Victoria, April 13-15, 2018.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Lucas, that Council authorize the attendance and associated costs for Mayor Helps to attend the AVICC Conference to be held in Victoria, April 13-15, 2018.

CARRIED UNANIMOUSLY 18/COTW

### **3.5 Advocacy for Youth Programs Funding for Quadra Village Community Centre**

Committee received a report dated March 6, 2018, from Councillors Isitt and Loveday regarding recommendations for the Advocacy for the importance of the funding for youth programs through the Quadra Village Community Centre.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Lucas, that Council request that the Mayor, on behalf of Council, write to the Member of the Legislative Assembly for Victoria-Swan Lake, copying the provincial Minister of Children and Family Development, requesting that funding be identified and allocated within provincial jurisdiction to ensure continuity and improvements over time for youth programs delivered by the Quadra Village Community Centre.

CARRIED UNANIMOUSLY 18/COTW

#### **4. UNFINISHED BUSINESS**

##### **4.1 Potential Animal Control Bylaw Amendments**

Committee received a report dated February 19, 2018, from Councillor Thornton-Joe regarding recommendations for amendment to the City's Animal Control Bylaw.

**Motion:** It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that Council:  
Amend our Animal Control Bylaw to prohibit the sale of cats, kittens, dogs, puppies, and rabbits in pet stores or other type of retail premises. The only exemption is if these animals are offered for adoption from a recognized animal rescue society or shelter organization at which time the current bylaw policy would still apply.

Committee discussed:

- Ensuring that consumers utilize rescue agencies to purchase pets instead of impulse buying in pet stores.

CARRIED 18/COTW

**For:** Mayor Helps, Councillors Alto, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe

**Against:** Councillor Young

**Motion:** It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Council approve:  
Each horse while transporting passengers must display an identification number which is visible and legible. This identification number must correspond with the name, description and health record of the horse and is to be provided to the licensing officer and SPCA at the beginning of the season.

Committee discussed:

- Whether there are regulations on the number of hours a horse can work in a day.
- Whether there are regulations on horses working in extreme weather.
- Concerns with operators washing horse feces and urine down a storm drain and how that is being addressed.

CARRIED UNANIMOUSLY 18/COTW

## 5. LAND USE MATTERS

### 5.1 Temporary Use Permit Application No. 00007 for 629 and 635 Chatham Street

Committee received a report dated February 22, 2018, from the Director of Sustainable Planning and Community Development regarding recommendations for the Temporary Use Permit Application for the property located at 629 and 635 Chatham Street to allow for surface parking for up to 38 stalls for up to three years.

**Motion:** It was moved by Councillor Isitt, that Council decline Temporary Use Permit Application No. 00007 for the property located at 629 and 635 Chatham Street.

Failed due to no seconder 18/COTW

**Motion:** It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council, authorize the issuance of Temporary use Permit Application No. 00007 for 635 Chatham Street in accordance with:

1. Plans date stamped December 22, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements
3. The applicant providing a landscape cost estimate for the entire cost of the onsite landscaping in accordance with the Landscape Plan prepared by Murdoch de Greeff Landscape Architects dated December 22, 2017, and a landscape security deposit in the amount of 120% of the Landscape Cost Estimate payable to the City prior to the issuance of the building permit.
4. The Temporary use Permit lapsing three years from the date of this resolution.

Committee discussed:

- The need for the retention of parking in the downtown.

CARRIED 18/COTW

**For:** Mayor Helps, Councillor Alto, Loveday, Lucas, Madoff, Thornton-Joe, and Young

**Against:** Councillor Isitt

### 5.2 Strategic Direction: Inclusionary Housing and Density Bonus Policy

Committee received a report dated February 16, 2018, from the Director of Sustainable Planning and Community Development seeking direction on strategic approaches to the development of an Inclusionary Housing and Density Bonus Policy.

Committee discussed:

- Where tax incentives will come from.
- Ensuring that there is no loss of purpose built housing and rental housing.
- The type of criteria that will be used to determine appropriate zoning.
- The timeline to bring the policy back to Council.



- The impact on the current local area planning processes.

**Motion:**

It was moved by Mayor Helps seconded by Councillor Alto, that Council:

1. Consider the following strategic approaches in the development of a new Inclusionary Housing and Density Bonus Policy and direct staff to:
  - a) Establish affordable housing targets and levels of affordability to guide community amenity contribution negotiations;
  - b) Prioritize City objectives for community amenity contributions given limits on bonus density;
  - c) Develop a framework for consideration of higher densities above those envisioned in the Official Community Plan in support of affordable housing goals;
  - d) Develop a framework for the provision of bonus density in exchange for on-site affordable housing units, where feasible, within areas of the City through the zoning bylaw in a manner consistent with the Local Government Act;
  - e) Retain a consultant to update the economic analysis that informed the Density Bonus Policy (2016) to inform the above considerations, and;
2. Direct staff to consult with stakeholders and the Community Association Land Use Committees on a draft policy.

**Amendment:**

It was moved by Mayor Helps seconded by Councillor Isitt, that the motion be amended as follows:

That Council:

1. Consider the following strategic approaches in the development of a new Inclusionary Housing and Density Bonus Policy and direct staff to:
  - a) Establish affordable housing targets and levels of affordability to guide community amenity contribution negotiations;
  - b) Prioritize City objectives for community amenity contributions given limits on bonus density;
  - c) Develop a framework for consideration of higher densities above those envisioned in the Official Community Plan in support of affordable housing goals;
  - d) Develop a framework for the provision of bonus density in exchange for on-site affordable housing units, where feasible, within areas of the City through the zoning bylaw in a manner consistent with the Local Government Act;
  - e) Retain a consultant to update the economic analysis that informed the Density Bonus Policy (2016) to inform the above considerations,
  - f) Direct staff to negotiate approach to CACs**
  - g) Direct staff to establish more precise targets and levels of affordability and;**
  - h) Direct staff to consider pre-zoning areas of the City (using bonus density zoning) for affordable housing.**
2. Direct staff to consult with stakeholders and the Community Association Land Use Committees on a draft policy.

On the amendment:  
CARRIED 18/COTW

For: Mayor Helps, Councillors Alto, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe  
Against: Councillor Young

*Mayor Helps withdrew from the meeting at 10:25 a.m.*

*Councillor Thornton-Joe assumed the Chair.*

*Mayor Helps returned to the meeting at 10:27 a.m. and assumed the Chair.*

Committee discussed:

- Densities above the OCP being looked at on a case by case basis.
- Concerns with the length of time the policy is taking to be implemented.

**CARRIED UNANIMOUSLY 18/COTW**

*Committee requested that the motion be separated to consider Item C separately.*

- Motion:** It was moved by Mayor Helps, seconded by Councillor Alto, that Council:
1. Consider the following strategic approaches in the development of a new Inclusionary Housing and Density Bonus Policy and direct staff to:
    - a) Establish affordable housing targets and levels of affordability to guide community amenity contribution negotiations;
    - b) Prioritize City objectives for community amenity contributions given limits on bonus density;
    - d) Develop a framework for the provision of bonus density in exchange for on-site affordable housing units, where feasible, within areas of the City through the zoning bylaw in a manner consistent with the Local Government Act;
    - e) Retain a consultant to update the economic analysis that informed the Density Bonus Policy (2016) to inform the above considerations;
    - f) Direct staff to negotiate approach to CACs
    - g) Direct staff to establish more precise targets and levels of affordability and;
    - h) Direct staff to consider pre-zoning areas of the City (using bonus density zoning) for affordable housing.
  2. Direct staff to consult with stakeholders and the Community Association Land Use Committees on a draft policy.

**CARRIED 18/COTW**

**For:** Mayor Helps, Councillor Alto, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe  
**Against:** Councillor Young

Committee discussed:

- Concerns with 'item c' not being needed at this time.
- Having an opportunity to see how 'item c' may assist communities

**Motion:** It was moved by Mayor Helps, seconded by Councillor Alto, that Council:

1. Consider the following strategic approaches in the development of a new Inclusionary Housing and Density Bonus Policy and direct staff to:
  - c) Develop a framework for consideration of higher densities above those envisioned in the Official Community Plan in support of affordable housing goals;

DEFEATED 18/COTW

For: Mayor Helps, Councillors Alto, Lucas, and Thornton-Joe  
Against: Councillors Isitt, Loveday, Madoff and Young

## 6. NEW BUSINESS

### 6.1 Further Support for the 2020 North American Indigenous Games

Committee received a report dated March 4, 2018, from Councillor Alto and Mayor Helps regarding recommendations for consideration of the City's financial support for the 2020 North American Indigenous Games.

**Motion:** It was moved by Councillor Alto, seconded by Mayor Helps, that, should the Songhees Nation be awarded the 2020 North American Indigenous Games, the City of Victoria will:

1. Contribute to the 2020 NAIG up to \$225,000 in each of its 2019 and 2020 budget years, from 2018 and 2019 budget surpluses;
2. Encourage its municipal neighbours to contribute per capita amounts of the same range (approximately \$2.50/per person for two years);
3. Work with the 2020 NAIG organizing committee(s) to facilitate use of city sports facilities as needed.

Committee discussed:

- Concerns with the amount of money being requested.
- The economic impact of the Cowichan Region in 2007

**Amendment:** It was moved by Mayor Helps, seconded by Councillor Loveday that the motion be amended as follows:  
That, should the Songhees Nation be awarded the 2020 North American Indigenous Games, the City of Victoria will:

1. Contribute to the 2020 NAIG up to \$225,000 in each of its 2019 and 2020 budget years, from 2018 and 2019 budget surpluses, **subject to receiving a detailed budget breakdown once that is possible and that the bid documents are no longer confidential.**
2. Encourage its municipal neighbours to contribute per capita amounts of the same range (approximately \$2.50/per person for two years);
3. Work with the 2020 NAIG organizing committee(s) to facilitate use of city sports facilities as needed.

On the amendment:  
CARRIED UNANIMOUSLY 18/COTW



**Main motion as amended:**

That, should the Songhees Nation be awarded the 2020 North American Indigenous Games, the City of Victoria will:

1. contribute to the 2020 NAIG up to \$225,000 in each of its 2019 and 2020 budget years, from 2018 and 2019 budget surpluses, subject to receiving a detailed budget breakdown once that is possible and that the bid documents are no longer confidential.
2. Encourage its municipal neighbours to contribute per capita amounts of the same range (approximately \$2.50/per person for two years);
3. Work with the 2020 NAIG organizing committee(s) to facilitate use of city sports facilities as needed.

On the main motion as amended:  
CARRIED UNANIMOUSLY 18/COTW

**7. ADJOURNMENT**

**Motion:** It was moved by Councillor Loveday, seconded by Councillor Alto, that the Committee of the Whole meeting of March 8, 2018, be adjourned at 11:29 a.m.

CARRIED UNANIMOUSLY 18/COTW

CERTIFIED CORRECT:

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CITY CLERK

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MAYOR



## **Council Member Motion**

**For the Committee of the Whole Meeting of November 15, 2018**

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**Date:** November 9, 2018

**From:** Councillor Isitt and Mayor Helps

**Subject:** Endorsement of the Community Benefits Coalition of BC

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### **Background**

Council has received an invitation to endorse the Community Benefits Coalition of BC (see attachment 1).

As noted in the information sheet (attachment 2), community benefits agreements prioritize “the hiring of qualified people who live within a 100-kilometre radius of the projects and includes terms to increase the participation of women, Indigenous workers and apprentices,” securing “work, skills training and fair wages.”

It is recommended that Council endorse the Community Benefits Coalition of BC, to encourage community reinvestment and the provision of fair wages and working conditions in capital projects.

### **Recommendation**

That Council endorse the Community Benefits Coalition of BC and directs staff to write to the Coalition advising them of this endorsement and authorizing use of the City’s name and logo in the list of Coalition partners.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "B. Isitt".

Councillor Isitt

A handwritten signature in blue ink, appearing to read "S. Helps".

Mayor Helps

### **Attachments:**

1. Invitation from the Community Benefits Coalition of BC
2. Information Sheet on the Community Benefits Coalition of BC
3. Frequently Asked Questions regarding the Community Benefits Coalition of BC



September 21, 2018

Mayor Helps and Council  
City of Victoria  
City Hall, 1 Centennial Square  
Victoria, BC V8W 1P6

Dear Mayor Helps and Council,

I'm writing you today on behalf of the Community Benefits Coalition of BC.

The CBCBC is a coalition of local companies, organizations and unions. Our goal is to support the expansion of community benefits in British Columbia through public infrastructure projects like roads, schools, dams and hospitals.

These benefits provide increased opportunities for qualified local workers, businesses, apprentices, Indigenous communities and women in trades and ensure wage predictability.

In July, the BC government took the first step by committing to build the Pattullo Bridge replacement and TransCanada Hwy 1 (Kamloops – Border) through a Community Benefits Agreement.

For more information on our campaign and our coalition partners, visit: [www.letsbuildbc.ca](http://www.letsbuildbc.ca). Dozens of organizations have already signed on.

**The Community Benefits Coalition of BC invites your municipality to join us in our advocacy efforts to build B.C. better through community benefits agreements.**

We will feature your municipality on our website and would welcome a dialogue on how these agreements can help put local people to work in your community.

We sincerely hope you will join this important campaign. If you have any questions, please do not hesitate to contact me.

Sincerely,

TOM SIGURDSON  
Community Benefits Coalition of BC





## What are Community Benefits?

In July 2018, the BC government announced it would use a Community Benefits Agreement on the Pattullo Bridge replacement and the four-lane expansion of the Trans-Canada Highway between Kamloops and Alberta.

This landmark agreement prioritizes the hiring of qualified people who live within a 100-kilometre radius of the projects and includes terms to increase the participation of women, Indigenous workers and apprentices.

Community Benefits Agreements (CBAs) secure work, skills training and fair wages.

### How do Community Benefits Agreements work?

CBAs are agreements between government and contractors or councils that set out wage and hiring provisions on public projects.

### Fairness, accountability & transparency

Union and non-union contractors bid on CBA projects.

### Opportunities to build it better

Qualified local workers are given the opportunity to help build and invest in their own community. Workers earn union wages and benefits, pay taxes, and reinvest where they live.

### Building a workforce for the future

B.C. is facing a major skilled trades shortage. CBAs that build in opportunities for hiring apprentices, women in trades and Indigenous workers will contribute to labour market stability and pave the way for a sustainable future.



COMMUNITY  
BENEFITS  
COALITION OF BC

**Learn more at [letsbuildbc.ca](https://letsbuildbc.ca)**





## About the Community Benefits Coalition of BC

The Community Benefits Coalition of BC was started by members of the labour movement and local companies who believe that projects paid for by B.C. taxpayers should provide tangible, long-lasting benefits to communities.



**ADVENTURE PAVING**  
A Division of YCB Holdings Ltd.



**Community Savings**  
the union's credit union



### Join Us!

**Community Benefits Coalition of BC**

#207 - 88 Tenth Street  
New Westminster, B.C.  
V3M 6H8

☎ 778-397-2220

✉ info@letsbuildbc.ca

📘 CommunityBenefitsforBC

🐦 BenefitsForBC







## Frequently Asked Questions

### What is a Community Benefits Agreement?

There are many different types of CBAs. Generally, a CBA is an agreement that sets out hiring provisions on publicly funded infrastructure projects. Typically, there will be provisions for hiring qualified local workers first as well as underrepresented groups, including Indigenous Peoples, apprentices and women in trades. In B.C., the CBA framework announced by the provincial government includes all these things as well as provisions for union wages, and assurances that there will be no work stoppages (strikes, lockouts) for the duration of construction.

### Are CBAs a new concept?

No. CBAs have been used throughout North America for 20 years. The City of Los Angeles has seen a number of successful CBAs.

### I heard CBAs shut out non-union contractors. Is that true?

No. Non-union and union contractors both bid on the project. The only requirement is adhering to the provisions of the CBA, which may include provisions to pay union wages for the duration of the project.

### How can CBAs ensure projects are completed on time and on budget?

CBAs ensure wage predictability and eliminate the

risk of work stoppages. In addition, investments in worker safety and training are proven to increase productivity. CBAs also enjoy increased transparency and accountability because these provisions are known.

### Why can't contractors hire whoever they want and pay whatever they want?

Unless provisions are made for local hiring and union wages, unscrupulous contractors could hire workers from outside of B.C. and perhaps even outside of Canada, as we saw with construction of the Canada Line. In that case, workers were brought in from Latin America and paid \$3.89 per hour. Even at Site C, 20 per cent of workers are not from B.C. Preference for hiring should be given to qualified local workers first, at a salary that allows them to support their families and invest in their own community.

### Why should preference be given to Indigenous communities and women in trades? The qualified candidate should just get the job.

Only qualified workers would be hired. However, among those qualified workers, provisions would be written into a CBA that assign practical ratios to hiring women in trades and Indigenous workers, both

Learn more at [letsbuildbc.ca](https://letsbuildbc.ca)





of whom are currently underrepresented in the trades. This will allow B.C. to meet its commitment to address the looming skilled trades shortage, while providing opportunities for groups who have traditionally not accessed these careers.

### Why do we need hiring provisions for apprentices?

BC is facing a skilled trades shortage and will need to hire thousands of new apprentices in the next few years. CBAs that include worker apprenticeship ratios help meet that need, while leaving a legacy of workforce experience and employability.

### Why does it matter if local workers are hired first?

Hiring locally means the investment in infrastructure stays in the community, which provides a community benefit to the local economy and revitalizes job creation. Local workers are proud to build their own community.

### Why do workers have to join a Building Trades union?

Building Trades Union contracts ensure workers have fair and equal access to training and that workers doing the same job at the same level are paid the same. They also ensure there are no strikes and no lockouts for the duration of a project. In addition, any pension contributions are immediately vested. And because BTU collective agreements are publicly available, bids are more competitive.

### Do CBAs cost more compared to non-CBA projects?

Every project is different. However, research indicates that CBAs are actually less expensive. They are subject to strict timelines and they prohibit work stoppages that might otherwise cause delays. In addition, when qualified local workers are given preference, tax revenue stays in the local community. Here is a snapshot of some high-profile infrastructure projects built without CBAs, which have never been used in B.C.

- The Vancouver Trade and Convention Centre, which was initially built under a public-private partnership (PPP) before it failed, went almost \$400 million over its original \$495 million budget.
- The Port Mann Bridge replacement cost \$2.974 billion, which was \$572 million more than the original estimate.
- The roof on BC Place Stadium was budgeted at \$100-\$150 million and came in at \$563 million.
- Site C was budgeted at \$8.335 billion and will cost in excess of \$10 billion.

### I work hard for my money. Why would I support something that could cost more?

The B.C. government has stated that using a CBA could cost four to seven per cent more to allow for the increased employment of apprentices. However, even if they have a greater cost on the face, they abide community interests, such as opportunities for qualified local workers, Indigenous groups, women in trades and apprentices. In addition, hiring local workers means tax dollars stay in the community, and the community is richer through a legacy of education and experience.

## Join Us!

### Community Benefits Coalition of BC

#207 - 88 Tenth Street  
New Westminster, B.C.  
V3M 6H8

☎ 778-397-2220

✉ [info@letsbuildbc.ca](mailto:info@letsbuildbc.ca)



CommunityBenefitsforBC

BenefitsForBC



COMMUNITY  
BENEFITS  
COALITION OF BC



**Council Member Motion**  
**For the Closed Council Meeting of November 15, 2018**

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**Date:** November 9, 2018  
**From:** Councillors Thornton-Joe and Alto  
**Subject:** Extreme Weather Shelter Mats

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**Background**

The Extreme Weather Protocol (EWP) is a community program with various groups working together to increase the number of shelter spaces available during acute winter weather conditions of heavy wind, snow, rain and temperatures of zero and below. This initiative was first introduced after a severe cold snap in January 2004 when the City's Silver Threads building was used as a short term emergency shelter.

Year round there are approximately 220 spaces with an additional temporary 145 spaces made available from approximately November 1 to April 1. In addition, from November to April, if the Extreme Weather Protocol is activated, Tier 1, which has 85 mats are provided in 3 locations. In the event that all shelter beds and mats are full, Tier 2 provides for 15 more mats. This year, the location for the 15 Tier 2 mats is not available. Our Place has requested that the upstairs of the My Place shelter be used for the 15 additional Tier 2 mats. Last year, Tier 2 was activated 6 times.

**Consultation**

The My Place monthly committee meeting attendees are supportive as long as:

1. Appropriate number of staff are provided and funded by BC Housing
2. It is only used for up to 15 Tier 2 mats
3. That the clientele for this shelter matches the clientele that are currently at the shelter which is a medium to high barrier shelter
4. That the shelter individuals are transported to and from the My Place shelter each day
5. That in the event that it becomes problematic for the neighbourhood that it not continue

**Recommendation**

That the City Owned Building at 1240 Yates which currently houses the My Place Shelter be approved as a Tier 2 location for the Extreme Weather Protocol for the November 2018-April 2019 season with the above listed conditions.

Respectfully submitted,

A handwritten signature in cursive script, reading 'Charlayne Thornton-Joe'.

Councillor Thornton-Joe

A handwritten signature in cursive script, reading 'Alto'.

Councillor Alto



**Council Member Motion**  
**For the Committee of the Whole Meeting of November 22, 2018**

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**Date:** November 16, 2018  
**From:** Councillors Loveday and Isitt  
**Subject:** Improving Governance and Transparency

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**Background**

Members of the public including the Grumpy Taxpayers of Greater Victoria have called on local governments in the Capital Region to implement improvements to regional governance and transparency.

These recommendations include implementing a Voting Dashboard, publishing elected officials' annual Financial Disclosure Statements, improving proactive disclosure of closed meeting business, publishing information on elected officials' expenses, publishing a Highlights Report following each council meeting, and providing clear summaries of financial information in the local government's annual report and in budgeting documents.

Improving governance and transparency contributes to better decision making, and can also serve to strengthen public confidence in local government. It is therefore prudent to embrace measures that will improve transparency and strengthen the connection between the city and members of the public.

Several of these actions are already underway in the City of Victoria, including introduction of a Council Member Voting Dashboard and a Council Meeting Highlights Report, demonstrating the city's leadership toward open, accountable, transparent local government. It is therefore recommended that the City of Victoria endorse and move forward on the suite of actions outlined below, in order to improve governance and transparency, and continue to demonstrate leadership to other local governments in the region and beyond.

**Recommendations**

That Council:

1. Endorse in principle the following best practices in governance and transparency.
  - (1) Expand the **Council Member Voting and Attendance dashboard** implementation retroactively to the beginning of the Council term, to ensure transparency of the voting record of each Council member on each item of Council and Committee business, adopting the best practice from the City of Vancouver;



- (2) Publish Council members annual **Financial Disclosure Statements** (submitted according to the requirements of the BC Financial Disclosure Act) online and update these disclosure statements on an annual basis, adopting the best practice from the City of Vancouver;
  - (3) Improve **Proactive Disclosure of Closed Meeting Business**, including decisions made and reports considered by Council, as soon as the need for confidentiality has ceased to exist, adopting the best practice from the City of Vancouver;
  - (4) Publish information on **Council Member Expenses** on a quarterly basis, adopting the best practice from the City of North Vancouver;
  - (5) Continue to publish a **Council Meeting Highlights Report** following Council meetings, to make information on key Council decisions accessible to the general public, affirming the best practice from the City of Victoria;
  - (6) Provide clear and accessible **Summaries of Financial Information** in the municipality's Annual Report and in annual financial planning documents, and provide prominent, easily accessible links to this information on the municipality's website, focusing on clarity and transparency in the presentation of this information to the public.
2. Direct staff to report back to Council with recommendations for the timely implementation of each of these items and include information on any financial implications of implementation.
  3. Request that the Mayor, on behalf of the Council, forward these recommendations to member local governments in the Capital Region and Capital Regional District Board, encouraging favourable consideration and action.

Respectfully submitted,



Councillor Loveday



Councillor Isitt



**RE: Letter Supporting Motion on Improving Regional Governance and Transparency, City of Victoria, Nov. 22, 2018**

Grumpy Taxpayer\$ of Greater Victoria welcomes the motion to **Improve Regional Governance and Transparency** put forward by Victoria Councillors Ben Isitt and Jeremy Loveday.

There's a sense of renewal in our community, never more so than after the 2018 municipal election resulted in a rebooted local government.

- Around the CRD board table today there are many new directors including three new mayors, a new chair and vice-chair.
- Between resignations and elected, 36 of 91 councillors and mayors across the region are new, a substantial 40 per cent churn in local government representatives.
- An unprecedented 40 of our representatives regionally are now women, about 40 per cent.
- Finally, all local representatives face a changed workplace that's characterized by higher interest rates that will make critical infrastructure renewal and other challenges even more costly. While interest rates are still comparatively low - despite five rate hikes since July 2017 - they are likely to continue rising in 2019.

Today, this motion presents an opportunity to renew the social contract with residents. It presents improvements in regional governance and transparency, and how better to conduct the public's business in concrete terms.

Hit refresh: We all want local government to be the best it can be for everyone.

**Stan Bartlett, chair and John Treleaven, vice-chair**

**Grumpy Taxpayer\$ of Greater Victoria**

**Grumpy Taxpayer\$** is a non-profit, unaffiliated, non-partisan, citizen's advocacy group dedicated to lower taxes, less waste, and more accountable municipal government.





For the Committee of the Whole Meeting November 22 2018

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**Date:** November 18 2018

**From:** Mayor Helps and Councillor Isitt

**Subject:** Natural Assets and the Public Sector Accounting Board

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**Background**

Please read attached letter and position paper for background on this topic.

**Recommendation**

1. That Council endorse the attached policy recommendations with regard to the inclusion of natural assets by the Public Sector Accounting Board.

**Respectfully Submitted,**

A handwritten signature in blue ink, appearing to read "M. Helps".

Mayor Helps

A handwritten signature in blue ink, appearing to read "B. Isitt".

Councillor Isitt

November 27 2018

Dear Public Sector Accounting Board:

Please find attached, on behalf of the undersigned organizations, a response to your request for input into the process to update the Statement of Concepts and Statements of Principles.

The purpose of our submission is to increase the recognition of natural assets in Canadian public sector accounting framework. Consistent with this, we make: (a) general recommendations and (b) specific/technical recommendations for the Conceptual Framework and Reporting Model.

We appreciate the opportunity to comment on this very important undertaking and would be pleased to provide any additional information that may be required. We would also appreciate the opportunity to be engaged in the development of standards and guidance materials to support public sector entities incorporate natural assets in their financial statements.

With best wishes,


*Return correspondence: c/o Roy Brooke - royb@mnai.ca ; 250.896.3023*

## Purpose

This document provides context, considerations, conclusions and recommendations to increase the recognition of natural assets in Canadian public sector accounting standards.

## Context

*Natural assets* are more commonly referred to as *natural capital*, though the meaning is the same. Accepted definitions all include the stock of renewable and non-renewable natural resources that includes land, water, atmosphere, minerals, plant and animal species, and all living things<sup>i</sup>.

The Public Sector Accounting (PSA) Handbook currently limits the consideration of natural assets within public sector financial statements. Specifically, the PSA Handbook that guides public sector accountants prohibits from recognition inherited natural resources, arguing that “the costs, benefits and economic value of such items cannot be reasonably and verifiably quantified using existing methods.” Current standards allow only the recognition of purchased natural assets where they meet certain criteria (Public Sector Accounting Discussion Group 2016)<sup>ii</sup>.

## Considerations

### Rationale

The PSA Handbook prohibition means that no public sector entity can place natural assets on its balance sheets. By *not* placing natural assets on balance sheets, a *de facto* statement is made that they have no inherent value and make no economic contribution. This runs counter to all accumulated evidence on natural capital generally, and on the growing municipal experience in Canada,<sup>iii</sup> and means that local governments have limited incentive and no direction to inventory or value their natural areas<sup>iv</sup>.

This matters, particularly in the context of the financial health of Canadian communities, businesses and households and their resilience to climate change and the risks from extreme weather:

1. *Canadian infrastructure is in trouble.* Canada’s Infrastructure Report Card<sup>1</sup>, for example, notes that one-third of our municipal infrastructure is in fair, poor or very poor condition;
2. *The trends are negative.* The Insurance Bureau of Canada reports that insurance losses to Canadian homeowners and communities from climate change and extreme weather events are up over 400% from \$405 million per year between 1983 and 2008 to \$1.8 billion per year between 2009 and 2017<sup>v</sup>. This increases the strain on infrastructure and budgets;
3. *There is growing evidence that natural assets protect communities from extreme weather.* Globally, after the 2004 Indian Ocean tsunami, evidence accumulated that

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<sup>1</sup> <http://canadianinfrastructure.ca/en/index.html>



where coastal mangrove swamps were least degraded, disaster impacts were often less severe because healthy swamps absorbed the waves' impacts. Researchers made similar findings after Hurricane Sandy in 2012: healthy marshes, beaches, dunes, oyster reefs and flood plains provide important natural barriers against storm surges and flooding risks. The Canadian experience is discussed below;

4. *The status quo strains local budgets.* Local governments cannot continue to allow the loss of natural assets and default to expensive engineered infrastructure to meet all service requirements of taxpayers. They are accountable for 60% of Canada's infrastructure and must find new ways to deliver services in the face of climate change.
5. *Local governments may have a fiduciary responsibility* to protect communities from flooding, and natural assets are a part of this protection.<sup>vi</sup>

### Evolving municipal practice

Increasingly, municipalities realize that natural assets (e.g. wetlands, forests, streams and foreshores) provide equivalent or even better services (e.g. stormwater management, flood protection, provision of drinking water) than many engineered assets. Moreover, if protected and well managed, they can often achieve significant cost savings with respect to engineered or constructed (green infrastructure) solutions, and usually with co-benefits such as increased community resilience.<sup>vii</sup>

The Town of Gibsons pioneered what has become known as municipal natural asset management. Their work has led to the creation of the Municipal Natural Assets Initiative<sup>2</sup>, which has completed municipal natural asset management projects with: the City of Nanaimo, District of West Vancouver, City of Grand Forks, Region of Peel and the Town of Oakville, and is working now with the City of Courtenay, District of Sparwood, City of Oshawa, Southeast Regional Service Commission of New Brunswick, Regional Service Commission of New Brunswick, and in Ontario's Greenbelt and a BC watershed<sup>viii</sup>.

These communities demonstrated that they are able to undertake many aspects of natural asset management irrespective of the PSA Handbook prohibition, including financial planning; and, that natural assets can provide the same level of stormwater management services as their engineered counterparts when properly managed and maintained. Nevertheless, the PSA Handbook restriction on inherited natural resources creates challenges for municipal natural asset management:

- **Reporting.** Local governments must make use of the *Notes* section in annual financial statements, departmental reports, municipal publications and annual public meetings to describe the local government's approach to municipal natural assets. In other words, they can take action to report on natural assets notwithstanding the PSA Handbook restrictions, but must find *ad hoc* solutions to do so, which may hinder natural asset management efforts and/or provide taxpayers an incomplete understanding of community assets, liabilities and risks.
- **Risk.** That natural assets are not considered 'real' assets within accounting frameworks, may lead some communities to underestimate or fail to account for

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<sup>2</sup> See mnai.ca

their dependence on the services they receive and rely on from natural assets, and the inherent risks and exposure if the assets were to fail. These communities would then communicate an incomplete picture of risks in their financial statements.

- **Diminished decision-making potential.** Assets that are not valued are often not protected. This, in turn, means that in many urban areas where there is development pressure, natural assets are destroyed because there is no agreed-upon basis for determining a value that can be compared to those derived from development; and of course once the natural asset is gone, it is hard and costly to get back<sup>ix</sup>. Again, local governments are innovating to manage their natural assets, but they are having to find ways to do so that do not contravene the PSA Handbook guidance.

## Data reliability

Accounting requires reliable and verifiable data. Historically, this has been hard to provide in the context of natural assets.

However, the tools available to quantify the biophysical functions of natural assets and characterize these are continually improving, as is the ability to verify their results. Furthermore, there are a variety of ways to characterise accurately what the biophysical functions mean in terms of service value.

In terms of valuation, MNAI is currently valuing natural assets at the avoided cost of engineered assets that would be required to replace it and still provide services. For example, a wetland might be valued at the cost of the stormwater pond that would be necessary if the wetland did not exist or were degraded to the point where it ceased to provide services such as water storage. These estimates are not as complex as other valuation approaches and give a practical result. This method can continue to be used, and it is also reasonable to expect that other practical methods will be developed to quantify natural assets. For example, over time agreed-upon methods to account for the full value of natural assets may emerge. A variety of efforts are underway already to value a more holistic suite of services provided by natural assets.

It should also be noted that, as the climate continues to change, there may be diminished reliability around the understanding of the value of standard engineered assets to perform given tasks based on past experience. For example, the ability of a culvert to manage storm water reliably, and therefore its service value, may be unpredictable in communities where the effects of climate change are evolving quickly.

Finally, it is important to distinguish between what is fully *verifiable* and what is *relevant* -- and often, municipal natural assets are highly relevant even where data are imperfect<sup>x</sup>.

## Conclusion

A growing number of local governments are acting notwithstanding the PSA Handbook restriction on accounting for natural assets.

However, given the evidence that natural assets provide cost effective and reliable service even in the face of climate change and extreme weather events, PSAB should prioritise efforts to ensure that Canada's public sector accounting framework allows for their inclusion to the greatest possible extent. Doing so would also align with global trends such as the European Union commitment to integrate the value of ecosystem services into accounting and reporting frameworks at both EU and national levels by 2020<sup>3</sup>, and the development of the System of Environmental Economic Accounting<sup>4</sup>, in which Canada is a participant.

## Recommendations

### General

1. **Prioritise the inclusion of natural assets in Canada's accounting framework.** As an overarching recommendation, PSAB is encouraged to prioritise strategies to ensure that natural assets can be included within Canada's accounting framework. This could include:
  - a. Adopting a *policy position* that including natural assets fully in Canada's accounting framework is the long-term goal of PSAB;
  - b. Establishing the *objective* of full consideration of natural assets within financial statements;
  - c. *Seeking opportunities* to advance the consideration of natural assets in PSAB's surveys, technical agenda and special projects.
2. **Engage stakeholders.** PSAB is encouraged to work with those entities that are seeking to measure and manage natural assets so that their research, operations, and lessons learned can inform PSAB's deliberations wherever applicable.
3. **Address valuation issues.** Historical cost valuation does not apply to many natural assets; and, basic market valuations (e.g. the timber value of a forest) exclude many ecosystem service and other non-market values. PSAB is encouraged to:
  - a. Consider use of a proxy valuation method such as the avoided cost of engineered assets required to replace the service provided by a natural asset (the current MNAI approach) either as an allowable method or a stop-gap method until valuation techniques evolve and gain support;
  - b. Work with stakeholders to develop a generally accepted method(s) for calculating the full value of services provided by natural assets. This work should draw on the robust and long-standing body of research and methods for performing natural capital valuations including, for example, full replacement costs (i.e. calculating not just timber value but many of the ecosystem and other values), avoided damage cost, contingent valuation or travel costs.
4. **Require risk disclosure related to natural assets.** PSAB is encouraged to develop interim guidance and then requirements for disclosure of risks related to (a) reliance of a public sector entity on the services provided by a natural assets and (b) the impact of climate change on these service levels, and corresponding risks. This will

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<sup>3</sup> See for example <https://www.eea.europa.eu/soer-2015/europe/natural-capital-and-ecosystem-services>

<sup>4</sup> <https://seea.un.org>



support PSAB to produce more relevant and comparable information for accountability and decision making by users.

5. **Develop a process to tackle long-term issues.** Some issues may take considerable time to address, for example, how to attribute ownership to assets that span multiple jurisdictions, and how to address the value of services provided by natural assets on private property within the boundaries of municipalities. PSAB is encouraged to create a standing mechanism to address longer-term issues.
6. **Ensure adequate tools and training.** The inclusion of natural assets in Canada's accounting framework will require tools and training for local government. PSAB is encouraged to develop the tools required by local governments.

#### *Technical / specific*

7. **Prohibition in paragraph PS 1000.57 and prohibition in PS 1000.58.** PSAB is encouraged to begin technical work leading to full removal of natural asset-related exclusions from both the framework and standards. In the interim, PSAB has suggested moving the exclusions text from the conceptual framework to the asset standards section (ASSETS, Section PS 3210) as the latter is easier to change. This shift is strongly supported as a key first step.
8. **Paragraph 2.36 of the Conceptual Framework:** PSAB could consider providing a natural asset example for "capital infrastructure" within this paragraph or as a footnote.
9. **Paragraph 2.58 of the Conceptual Framework:** PSAB could consider clearly stating and including natural assets in the definition of public resources to ensure that public sector entities are aware of the scope of their stewardship and potential reporting responsibilities. For example:
  - 2.60(a) - include natural assets as part of "Crown lands and related natural resources"
  - 2.60(b)- include natural heritage items, such as natural features, mountains, lands, lakes, waterfalls, and parks etc. as part of "Heritage and cultural resources"
  - 2.60(c)- include ecosystem serves as part of "complex infrastructure systems" and;
  - 2.60(d)- include recreational benefits or social health benefits of natural assets as part of "intangible resources".
10. **Principle 14 of the Reporting Model and Objective 6 and supported by Paragraphs 6.10, 6.46(c) of the Revised Conceptual Framework:** PSAB could consider amending the financial statement presentation standards to include natural capital risks for disclosure requirements, following due process.
11. **Statement of Recommended Practice (SORP).** PSAB could develop a SORP to provide guidance on natural assets including:
  - a. **Financial statement disclosures** - To support entities that have identified natural assets as material for disclosure, specifically natural capital risks;
  - b. **Asset recognition** - To support the first step in removing the exclusion statements related to natural resources from the asset standards.

- c. **Measurement** - To determine a possible method for historical cost measurement or alternatively another measurement attribute if appropriate for natural assets.
- d. **Reporting non-financial resource performance components** - To support entities in developing sections within the “Other Performance or Accountability Reporting” reports noted in paragraph 3.26 of the revised Conceptual Framework which may include reporting on sustainability, on natural assets, climate change risks etc.
- e. **Reporting impacts and changes related to economic resources and obligations specific to natural assets** - to support entities in reporting aspects of service capacity not currently captured in the financial statements including natural assets.
- f. **Application of control** - To support entities in understanding how control can be assessed for natural assets for potential financial statement reporting or disclosure.

## Endnotes

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- <sup>i</sup> Municipal Natural Assets Initiative (2017). Defining and Scoping Municipal Natural Assets. <https://www.assetmanagementbc.ca/wp-content/uploads/definingscopingmunicipalnaturalcapital-final-15mar2017.pdf>
- <sup>ii</sup> Public Sector Accounting Discussion Group (2016). Public Sector Accounting Discussion Group: Report on the Public Meeting November 18, 2016. <http://www.frascanada.ca/standards-for-public-sector-entities/public-sector-accounting-discussion-group/search-past-meeting-topics/item84146.pdf>
- <sup>iii</sup> Town of Gibsons (2017). Advancing Municipal Natural Asset Management: The Town of Gibsons Experience in Financial Planning and Reporting. <https://mnai.ca/media/2018/01/GibsonsFinancialPlanningReport-WEB.pdf>
- <sup>iv</sup> Interview with Isabel Gordon (2018). Available at <https://mnai.ca/an-interview-with-isabel-gordon/>
- <sup>v</sup> Insurance Bureau of Canada (2018). Combatting Canada's Rising Flood Costs: Natural infrastructure is an underutilized option.
- <sup>vi</sup> Insurance Bureau of Canada (2018).
- <sup>vii</sup> Town of Gibsons (2017).
- <sup>viii</sup> Project details can be found at, for example, <https://mnai.ca/and-then-there-were-11/>
- <sup>ix</sup> Interview with Isabel Gordon (2018).
- <sup>x</sup> Michelle Molnar quoted in Gibsons (2017).





## Committee of the Whole Report For the Meeting of November 22, 2018

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**To:** Committee of the Whole  
**From:** Chris Coates, City Clerk  
**Subject:** Proclamation "Adoption Awareness Month" November, 2018  
**Date:** November 16, 2018

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### RECOMMENDATION

That the *Adoption Awareness Month* Proclamation be forwarded to the November 22, 2018 Council meeting for Council's consideration.

### EXECUTIVE SUMMARY

Attached as Appendix A is the requested *Adoption Awareness Month* Proclamation. Council has established a policy addressing Proclamation requests. The policy provides for:

- A staff report to Committee of the Whole.
- Each Proclamation request requiring a motion approved at Committee of the Whole prior to forwarding it to Council for their consideration.
- Staff providing Council with a list of Proclamations made in the previous year.
- Council voting on each Proclamation individually.
- Council's consideration of Proclamations is to fulfil a request rather than taking a position.

A list of 2018 Proclamations is provided as Appendix B in accordance with the policy. Consistent with City Policy, Proclamations issued are established as fulfilling a request and does not represent an endorsement of the content of the Proclamation.

Respectfully submitted,

A blue ink signature of Chris Coates, written in a cursive style.

Chris Coates  
City Clerk

### LIST OF ATTACHMENTS

- Appendix A: Proclamation "Adoption Awareness Month"
- Appendix B: List of Previously Approved Proclamations

**“ADOPTION AWARENESS MONTH”**

**WHEREAS** *adoptive families in British Columbia provide children with the love and support of a permanent family; and*

**WHEREAS** *the City of Victoria wishes to recognize the care, compassion and unselfish commitment of British Columbia Adoptive families; and*

**WHEREAS** *there continues to be a need for adoptive families to nurture the growth and development of children especially those with special needs because of physical, mental or emotional disabilities; and*

**WHEREAS** *the City of Victoria is committed to better understand and support indigenous communities in raising their children according to their traditional customs and practices; and*

**WHEREAS** *there is a need to remind citizens during this time that there are many children, teens and sibling groups in the province who are available for adoption..*

**NOW, THEREFORE** *I do hereby proclaim the month of November, 2018 as “ADOPTION AWARENESS MONTH” on the **HOMELAND** of the **ESQUIMALT AND SONGHEES FIRST NATIONS** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE of BRITISH COLUMBIA**.*

**IN WITNESS WHEREOF**, *I hereunto set my hand this 22<sup>nd</sup> Day of November, Two Thousand and Eighteen.*

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**LISA HELPS**  
**MAYOR**  
**CITY OF VICTORIA**  
**BRITISH COLUMBIA**

## Appendix B

<b>Council Meetings</b>	<b>Proclamations</b>
11-Jan-18	none
25-Jan-18	Eating Disorder Awareness Week - February 1 to 7, 2018
08-Feb-18	Rare Disease Day - Febraury 28, 2018 International Development Week - February 4 - 10, 2018 Chamber of Commerce Week - February 19 - 23, 2018
22-Feb-18	Victoria Co-op Day - March 10, 2018 Tibet Day - March 10, 2018
08-Mar-18	Revised World Water Day - March 22, 2018 Purple Day fo rEpilepsy Awareness - March 26, 2018
22-Mar-18	Parkinson's Awareness Month - April 2018 Barbershop Harmony Quartet Week - April 8-14, 2018 Autism Awareness Day - April 2, 2018
12-Apr-18	St. George Day - April 23, 2018 Human Values Day - April 24, 2018
26-Apr-18	Huntington Awareness Month - May 2018 Neighbour Day - May 8, 2018 Earth Day - April 22, 2018 International Internal Audit Awareness Month - May 2018 MS Awareness Month - May 2018 Highland Games Week - May 14-21, 2018 North American Occupational Safety and Health (NOASH) Week - May 7-13, 2018 Child Abuse Prevention Month - April 2018 Thank a Youth Worker Day - May 10, 2018 National Organ and Tissue Donation Awareness Week - April 22 - 28, 2018
10-May-18	Tap Dance Day - May 25, 2018
24-May-18	Victims and Survivors of Crime Week - May 27 - June 2, 2018 Orca Awareness Month - June 2018 Intergenerational Day - June 1, 2018



	Co-op Housing Day - June 9, 2018
	Planning Institute of BC 60th Anniversary Day - June 9, 2018
	Pollinator Week - June 18 - 24, 2018
	Independent Living Across Canada Day - June 4, 2018
	Built Green Day - June 6, 2018
	International Medical Cannabis Day - June 11, 2018
14-Jun-18	ALS Awareness Month - June 2018
28-Jun-18	Pride Week - July 1 to 8, 2018
12-Jul-18	None
26-Jul-18	A Day of Happiness - August 4, 2018
09-Aug-18	World Refugee Day - June 20, 2018
	Literacy Month - September 2018
06-Sep-18	Prostate Cancer Awareness Month - September 2018
	Performance and Learning Month - September 2018
	BC Thanksgiving Food Drive for the Food Bank Day - September 15, 2018
	United Way Day - September 19, 2018



**Council Member Motion**  
**For the Committee of the Whole Meeting of November 22, 2018**

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**To:** Committee of the Whole **Date:** November 22, 2018  
**From:** Mayor Helps  
**Subject:** Meeting with Mayor Plante – Montreal, November 30, 2018

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**BACKGROUND**

Meeting with both the Mayor of Montreal and the Montreal Smart Cities team to discuss the Smart Cities Challenge as both Montreal and Victoria are finalists. The intent of this meeting will be to explore ways to work together to best ensure greatest success with the challenge. It will be held in Montreal on November 30<sup>th</sup> and the costs are as follows:

Transportation	\$50.59
Accommodation	\$318.90
Total:	\$369.49

**RECOMMENDATION**

That Council authorize the attendance and associated costs for Mayor Helps to attend a meeting with Mayor Plante November 30<sup>th</sup> 2018.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. Helps".

Lisa Helps  
Victoria Mayor